

**Department of Defence  
Annual Environmental Compliance Report  
Due: 9 January 2020**

EPBC Act Approval 2010/5316  
Cultana Expansion Area Project, near Whyalla, South Australia

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## Document Version Control

Version	Date	Approved by	Details / Reason for Change
1	Dec 19	Kate Smith	Fourth annual report

## Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. 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 declaration.

<b>Signed</b>	
<b>Full name (please print)</b>	Lloyd Woodford
<b>Position (please print)</b>	Director of Environmental Planning, Assessment & Compliance
<b>Organisation (please print including ABN/ACN if applicable)</b>	Department of Defence ABN 68706814312
<b>Date</b>	13 December 2019

# 1. Summary

The Cultana Expansion Area (CEA) project, comprising the expansion of the existing Cultana Training Area in South Australia westwards from 50,250 hectares to approximately 209,294 hectares through the acquisition of pastoral leases, was assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) as described in the Part 7 Referral submitted on 23 December 2009 (referral number 2010/5316).

A Public Environment Report (PER) process was conducted for the project in accordance with Part 8 of the EPBC Act. The PER provided information about the likely impacts of the project on the relevant EPBC Act controlling provisions: nationally listed threatened species and ecological communities (sections 18 & 18A) and the protection of the environment from Commonwealth action (section 28).

The project was approved subject to conditions under Part 9 of the Act by the (now) Department of the Environment and Energy (DoEE) on 5 December 2013. Defence's use of the CEA is also subject to the environmental management requirements of the South Australian Government, made legally enforceable under a lease arrangement.

Condition 18 of EPBC approval requires the preparation and submission of an annual compliance report within three months of every 12 month anniversary of the **commencement** of the action. The action commenced on 9 October 2015 and the first annual compliance report was submitted on 9 January 2017. Subsequent annual compliance reports are due by 9 January of each year for the duration of the approval (i.e. 75 years).

## 2. Description of Activities

The project involved the expansion of the existing Cultana Training Area (CTA) located near Whyalla, South Australia. The expansion (known as the Cultana Expansion Area (CEA) increased the total area of CTA from 50,250 hectares to approximately 209,294 hectares through the acquisition of pastoral leases and the subsequent grant by the South Australian Government of a Miscellaneous Lease for Defence Purposes (MLDP).

The expansion of the CTA fulfils the following objectives:

- employment of a wide range of Army and RAAF individual or vehicle mounted weapons systems and platforms;
- development of a combined arms training area of sufficient size to allow Army and RAAF to train together;
- development of an all-weather training area of sufficient size that is easily accessible by both Darwin and Adelaide Army units and can be used during northern Australia's wet season, during which Defence's Northern Territory training areas are closed;
- development of a training area to support the Army's force generation cycle and foundation warfighting requirements;

- individual and collective training that underpins operational capability;
- development of a training area of sufficient size to allow training activities to be rotated, and areas of land rested to facilitate sustainable use of the training area; and
- development of a training area sufficiently close to a fully equipped hospital to allow personnel to be evacuated within one hour of a medical emergency occurring.

Since acquiring the land, Defence has developed a range of new facilities (fences, gates, internal roads, camps, range control, etc.) and military training has been conducted.

The CEA is a key training area for supporting the pre-deployment training of Australian Defence Force personnel bound for the Middle East. The expanded training area is expected to contribute to the Australian Defence Force's training needs for the next 75 to 100 years.

### **3. Conditions of Approval**

Measures to address the EPBC Act approval conditions for the project have been incorporated into the CEA Environmental Management System (EMS), Environmental Management Framework (EMF), Environmental Management Plan (EMP) and environmental management program for the site. These were formally endorsed by the South Australian Government in March 2016 and guide the use and environmental management of the site.

Condition 18 of EPBC approval requires the publication of an annual compliance report within three months of every 12 month anniversary of the commencement of the action. Defence commenced works at the CEA on 9 October 2015 with the first annual compliance report produced on 9 January 2017. Each subsequent annual compliance report is due in the period between 9 October and 9 January of the following year.

This is the fourth annual compliance report for the project.

## 4. Compliance Table

The following table identifies each condition of approval and describes the evidence for compliance.

**Table 1 – Compliance Table**

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
1.	<b>Prohibited activities</b> No chemical, biological, radioactive or nuclear weapons may be taken onto or used within the boundaries of <i>the CEA</i> .	Compliant	Chemical, biological, radioactive or nuclear (CBRN) weapons are not approved for use on Defence training areas. The Range Standing Orders include instructions addressing prohibited activities and what can be taken onto or used within the boundaries of the training area.
2.	<b>Stakeholder Engagement</b> The approval holder must establish and maintain an environmental advisory committee (EAC) for the duration of the approval to facilitate input from relevant stakeholders into environmental management of <i>the CEA</i> . The EAC must be established within twelve (12) months of this approval and meet at least every twelve (12) months thereafter.	Non-Compliant	<p>Defence commenced forming the EAC in early 2014, with the inaugural EAC meeting held on 18 June 2015.</p> <p>Membership of the EAC was finalised after Defence signed the Miscellaneous Lease for Defence Purposes (MLDP) with the South Australian Government on 20 June 2014. Members include stakeholder representatives from local councils, traditional owner groups, neighbours, State government agencies and the University of Adelaide.</p> <p>Defence invited committee members to attend an EAC meeting on two occasions, 28 May and 7 August 2019. On the first occasion 3 out of 8 stakeholders responded stating that they were unable to attend and the other 5 did not respond. Defence sent a second invitation for a rescheduled meeting to be held on 7 August 2019. On this occasion 4 out of 8 stakeholders replied stating that they were unable to attend, and the other 4 did not reply.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
			<p><u>Additional Stakeholder Engagement</u></p> <p>While no further meetings occurred, Defence undertook several stakeholder engagement activities with the South Australian Department for Environment and Water (DEW), and the Middleback Alliance to discuss environmental management issues (Refer to section 5: Correcting non-compliances for further details).</p>
3.	The approval holder must establish, maintain and advertise protocols for receiving, managing and resolving complaints in a timely and transparent manner. The protocols must be established prior to <i>commencement</i> of the action.	Compliant	<p>Activities at the CEA are promoted through Defence media releases, public notifications via local media, and the Defence website. The public can access the Army 'Noise and Training Notices' at <a href="https://www.army.gov.au/media-room/noise-and-training-notice">https://www.army.gov.au/media-room/noise-and-training-notice</a> or information about operations near to them at <a href="http://www.defence.gov.au/aircraftnoise/OpsNearMe/Default.asp">http://www.defence.gov.au/aircraftnoise/OpsNearMe/Default.asp</a></p> <p>If the public has any concerns, inquiries or complaints about the Cultana Training Area they can call the National Defence Switchboard number (1800 333 362) and be connected to their nearest base (RAAF Base Edinburgh is closest to the CEA) or contact Defence via <a href="http://www.defence.gov.au/Contacts/">http://www.defence.gov.au/Contacts/</a></p> <p>Defence has also developed the Garrison Estate Management System (GEMS). GEMS is an online SAP-based system that provides a single source of information for all estate management activities. This includes a consistent and centralised set of protocols and processes to record, process and investigate complaints. In circumstances where access to GEMS is limited, the existing Environmental Incident Reporting process using Defence Webform AE444 can be used.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
4.	<p><b>Environmental Management Framework</b></p> <p>The approval holder must establish and implement an environmental management system (EMS) for <i>the CEA</i>, consistent with <i>ISO 14001</i>. The EMS must include an overarching document that:</p> <p>a) describes the interaction between elements of the EMS including the <i>Defence Environmental Management Framework</i>, and specific plans relevant to <i>the CEA</i> as well as other elements of <i>the CEA environmental management framework</i>;</p> <p>b) identifies roles and responsibilities for implementation of the elements of the EMS; and</p> <p>c) describes arrangements for ongoing review (and revision as necessary) of elements of the EMS.</p> <p><b>Note:</b> <i>The Department</i> understands that Defence may wish to amalgamate EMS documents relating to several individual sites. This condition would not preclude that approach, provided that commitments made in relation to <i>the CEA</i> are clearly identifiable, and that the conditions of approval are satisfied in full.</p>	Compliant	<p>Defence is implementing an Environmental Management System (EMS) for CEA that is consistent with ISO 14001. The EMS and its accompanying Environmental Management Plan (EMP) address the requirements of this condition and are available for download from the following website:  <a href="http://www.defence.gov.au/id/Environmental.asp">http://www.defence.gov.au/id/Environmental.asp</a></p> <p>The EMS has been prepared in close consultation with representatives of the South Australian Minister for Environment. The EMS was endorsed by the Government of South Australia on 29 March 2016. In addition to intergovernmental cooperation in developing the EMS, community consultation has occurred through the Cultana Environmental Advisory Committee (EAC). The EMS and EMP documents were distributed to EAC members in March 2016, including local councils, aboriginal groups and community representatives.</p> <p>Defence's Garrison and Estate Management System (GEMS) is fundamental to supporting the implementation of an EMS at CEA. GEMS provides a repository for environmental data and informs on-ground environmental management. It enables a single, integrated environmental management tool to fulfil the requirements of the lease with the South Australian Government and the EPBC Act conditions of approval. It combines overarching management actions with matter-specific actions and will help monitor impacts and variations associated with the change from pastoral to Defence use.</p>
5.	The approval holder must prepare and implement <i>operational controls</i> that reduce environmental impacts and maintain public amenity and safety. <i>The operational controls</i>	Compliant	A range of operational controls are being implemented at CEA to reduce environmental impacts and maintain public amenity and safety. The primary operational controls are the EMF, EMP, the Defence Environmental Clearance Certificate (ECC) process



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	<p>must address at least the following public amenity matters:</p> <p>a) firing of projectiles from, into or within <i>the CEA</i> over any public road or railway or any other area occupied by civilians;</p> <p>b) noise, noting that training activities may occur at night;</p> <p>c) transport of equipment and personnel to, from and within <i>the CEA</i>;</p> <p>d) dust and smoke;</p> <p>e) electro-magnetic frequency interference (including electronic warfare activities); and</p> <p>f) light spill (including laser technologies).</p> <p>Specific <i>operational controls</i> must be made available to the <i>Department</i> upon request. The approval holder must, upon request, demonstrate to <i>the Minister</i> that the <i>operational controls</i> provide for public safety from these matters.</p>		<p>(compliance controls), Standard Operating Procedures (SOPs) and Range Standing Orders (RSOs) - when and where relevant to particular matters - safety templates and roads, perimeter fencing, firebreaks and warning signs, Emergency Services contacts, local media and Defence web pages, community engagement and information opportunities.</p> <p>In response to the specific requirements of this condition:</p> <p>a) Range Standing Orders cover firing procedures, permitted areas for firing and prohibited firing areas from, into or within the CEA.</p> <p>b) noise is addressed in Chapter 6 of the EMP. Operational measures include establishing buffers between the noise source and sensitive receptors, such as residences. Buffers can be reduced or increased in accordance with equipment being used.</p> <p>c) Vehicle road movements and crossings are undertaken at times with the least amount of public traffic on roads. RSOs set restrictions on off-road movement and prescribe speed limits to help dust suppression. Department of Planning Transport and Infrastructure (DPTI) and South Australian Police (SAPOL) traffic management are engaged as required; and police, signs and traffic management are also put in place when necessary.</p> <p>d) The dust management procedures are included in Chapter 6.3.1 of the EMP. Dust is managed via a combination of a 1km vehicle movement buffer along roadsides and boundaries. Time lapse cameras operate to monitor dust and wetting and binding applications are used if required. Dust management is also adaptive according to climatic conditions. If strong winds are likely to send dust clouds towards a road then the buffer size is increased or training moved to another location.</p> <p>When hazard reduction burns are conducted, consideration is</p>

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			<p>given to the effects of smoke on the amenity of neighbours and the safety of public road users.</p> <p>e) In accordance with the <i>Radiocommunications Act 1992</i>, specific radiofrequency (RF) bands are designated to be used for national defence. The Defence Spectrum Manual (SPECMAN) governs Defence's use of the radiofrequency (RF) spectrum and includes consideration of public amenity and safety.</p> <p>f) Chapter 6.2.3 of the EMP details the management of light impacts at CTA, including the use of lasers. The use of laser technologies at Defence training areas is further addressed in Annex 6B of the Defence Radiation Safety Manual.</p>
6.	<p><b>Management plans</b></p> <p>The approval holder must, within twelve (12) months of the <i>commencement</i> of the action, provide <i>the Minister with</i> a threatened species habitat management plan (TSHMP), prepared by a <i>suitably qualified expert</i>. The TSHMP must identify specific areas of important habitat and / or known occurrence of <i>threatened species</i> within <i>the CEA</i> and describe how those areas will be managed for the protection of those species. The TSHMP must make reference to any relevant conservation advices or recovery plans approved under <i>the EPBC Act</i>.</p> <p>Once approved by <i>the Minister</i>, the TSHMP must be implemented. Any work undertaken prior to <i>the Minister 's</i> approval of the TSHMP must be preceded by a pre-activity survey for all <i>threatened species</i> and, if any are detected, relevant work may not proceed until the TSHMP</p>	Compliant (awaiting DoEE approval)	<p>A Threatened Species Habitat Management Plan (TSHMP) addressing the requirements of this condition was included in the EMP submitted to DoEE on 7 October 2016.</p> <p>The only known EPBC Act listed resident threatened species at CEA is Western Grasswren/Thick-billed Grasswren (Gawler Ranges subspecies) (<i>Amytornis textilis myall</i>). There is also one State listed threatened species, Sandalwood (<i>Santalum spicatum</i>).</p> <p>The management of threatened species and their habitat is outlined in Chapter 3.4 of the EMP. Broader biodiversity management is also included within Chapters 2 and 4 of the EMP.</p>

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	<p>is approved.</p> <p>At least once every ten (10) years, the TSHMP must be reviewed and updated as required in consideration of all available sustainability monitoring reports (refer Condition 12), and provided to <i><b>the Minister</b></i> for approval. The revised TSHMP must not be implemented until it has been approved by <i><b>the Minister</b></i>.</p> <p>Note: This condition may be satisfied by a single document, or separate documents dealing with individual species or groups of species.</p>		

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7.	<p>The approval holder must, within twelve (12) months of the <b>commencement</b> (of the action, provide <b>the Minister with</b> a biosecurity and overabundant native species management plan (BONSMP), <b>prepared by a suitably qualified expert</b>. The BONSMP must describe measures to monitor and control animal pests, weeds and pathogens, including but not limited to the following species, within <b>the CEA</b>:</p> <ul style="list-style-type: none"> <li>• Feral Cat (<i>Felis catus</i>)</li> <li>• Red Fox (<i>Vulpes vulpes</i>)</li> <li>• Feral Goat (<i>Capra hircus</i>)</li> <li>• Rabbit (<i>Oryctolagus cuniculus</i>)</li> <li>• Rodents (<i>non-native Mus and Rattus spp.</i>)</li> <li>• tramp ants</li> <li>• Buffel Grass (<i>Cenchrus ciliaris</i>)</li> <li>• Carrion Flower (<i>Orbea variegata</i>)</li> </ul> <p>The BONSMP must make reference to any relevant threat abatement plans approved under <b>the EPBC Act</b>.</p> <p>Once approved, by <b>the Minister</b>, the BONSMP must be implemented. Any work undertaken prior to <b>the Minister's</b> approval of the BONSMP, must have clear and effective protocols in place to monitor and control animal pests, weeds and pathogens. These protocols must be provided to <b>the Minister</b> upon request.</p>	Compliant (awaiting DoEE approval)	A Biosecurity and Overabundant Native Species Management Plan (BONSMP) addressing the requirements of this condition was included in the EMP submitted to DoEE on 7 October 2016.

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8.	<p>The approval holder must, within twelve (12) months of the <b>commencement</b> of the action, provide <b>the Minister</b> with a pollution prevention and contamination management plan (PPCMP), prepared by a <b>suitably qualified expert</b>. The PPCMP must address at least the following matters in relation to <b>the CEA</b>:</p> <p>a) identification of, and management prescriptions for, existing contamination by waste fuels and other hazardous and toxic substances.</p> <p>b) protocols for the safe storage, handling, use, transport and disposal of fuels and other anticipated hazardous and toxic substances;</p> <p>c) measures for monitoring contamination against known baselines, making reference to any applicable Australian standards; and</p> <p>d) contingency measures for reporting, containing and remediating spills and other accidental pollution events.</p> <p>Once approved by <b>the Minister</b>, the PPCMP must be implemented. Any work undertaken Prior to <b>the Minister's</b> approval of the PPCMP, must have clear and effective protocols in place to prevent pollution and manage contamination consistent with the requirements of 8a) to 8d) above. These protocols must be provided to <b>the</b></p>	Compliant (awaiting DoEE approval)	A Pollution Prevention and Contamination Management Plan (PPCMP) addressing the requirements of this condition was included in the EMP submitted to DoEE on 7 October 2016.

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	<p><b>Minister</b> upon request.</p> <p>Material described in 8a) above must be provided to <b>the Minister within</b> twenty-four (24) months of <b>commencement</b> of the action.</p>		
9.	<p>Within six (6) months of <b>commencement</b> of the action, the approval holder must provide evidence to <b>the Department</b> that the following organisations have been consulted in relation to transport management, and that any concerns raised have been addressed, through <b>the CEA environmental management framework</b>:</p> <ul style="list-style-type: none"> <li>• Civil Aviation Safety Authority, in relation to airspace management;</li> <li>• South Australian Department of Planning, Transport and Infrastructure;</li> <li>• Port Augusta City Council, in relation to local road traffic;</li> <li>• Whyalla City Council, in relation to local road traffic; and</li> <li>• Royal Flying Doctor Service, in relation to their operational needs.</li> </ul> <p>Note: <b>The Department</b> acknowledges that in some cases consultation may already have occurred.</p>	Compliant	The Public Environment Report (PER) provided information about the consultation that had taken place with relevant organisations. Liaison with the organisations now occurs as and when necessary, noting that representatives of Port Augusta and Whyalla City Councils participate in the Environmental Advisory Committee (EAC) which is required to meet at least once per year.
10.	<p><b>Environmental planning framework</b></p> <p>Construction and training activities may only be undertaken in accordance with the Defence</p>	Compliant	Defence applied the environmental assessment processes described in the PER to all construction and training activities at the CEA. Examples of activities include installation of perimeter

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	<p>environmental assessment process as described in <i>the PER</i> and with reference to <i>the CEA environmental management framework</i>. If an environmental assessment identifies any residual impacts on matters protected under <i>the EPBC Act</i>, the approval holder must provide to <i>the Minister</i> for approval:</p> <ul style="list-style-type: none"> <li>• a report of the environmental assessment in question including a copy of Defence's environmental assessment;</li> <li>• the corresponding construction environmental management plan (CEMP) if one has been prepared; and</li> <li>• an evaluation, with reference to <i>the EPBC Act offset policy</i>, of whether any offset (compensation) is required.</li> </ul> <p>Where an offset is required, the approval holder must prepare an environmental offset strategy (EOS) in accordance with <i>the EPBC Act offsets policy</i> and in consultation with the relevant agencies within the South Australian Government.</p> <p>The construction or training activity must not commence until <i>the Minister</i> has approved it on the basis of any environmental assessment, CEMP or EOS provided, and imposed any additional environmental protection measures that are deemed necessary. Such plans and</p>		<p>fencing and signage, demolition of redundant structures, remediation minor contamination and the conduct of military training activities.</p> <p>In each case, no residual impacts on matters protected under the EPBC Act were identified.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	measures must be implemented as approved.		
11.	<p><b>Monitoring and reporting</b></p> <p>The approval holder must engage <i>a suitably qualified expert</i> to prepare an environmental baseline condition report (EBCR). The EBCR must describe the condition of the environment at <i>the CEA</i> at the <i>commencement</i> of the action at least in the following terms:</p> <p>a) comprehensive ground-truthed mapping of vegetation communities, using a relevant regional or statewide vegetation classification system;</p> <p>b) descriptions of all vegetation communities occurring within <i>the CEA</i>, including information on key species, conservation status, soil, geographic and climatic preferences, relevant threats and general condition;</p> <p>c) comprehensive ground-truthed mapping of environmentally sensitive features including claypans, contaminated sites and highly erodible or saline soils;</p> <p>d) comprehensive ground-truthed mapping of waterbodies and watercourses (including floodplains) within <i>the CEA</i>;</p> <p>e) comprehensive mapping (unless culturally inappropriate) of culturally significant sites and areas, based on local, state and Commonwealth heritage databases as well as consultation with relevant traditional owners;</p>	Compliant	<p>An Environmental Baseline Condition Report (EBCR) addressing the requirements of this condition was submitted to DoEE on October 2016. A copy of the EBCR is available for download from the following website:</p> <p><a href="http://www.defence.gov.au/id/Environmental.asp">http://www.defence.gov.au/id/Environmental.asp</a></p>



Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	<p>f) identification of all weeds and pests identified on the site, and mapping of the distribution of prescribed / listed and major pest and weed populations;</p> <p>g) an inventory of all species known to occur within <i>the CEA</i>; and</p> <p>h) descriptions, justifications and limitations (eg due to climatic conditions) of survey methodology employed.</p> <p>The EBCR must be provided to <i>the Minister within</i> twenty-four (24) months of the complete acquisition of <i>the CEA</i>. No native vegetation may be cleared without having been surveyed.</p>		
12.	<p>The approval holder must, within twelve (12) months of the <i>commencement</i> of the action, provide <i>the Minister</i> with a <i>sustainability monitoring and reporting plan (SMRP)</i> for <i>the CEA</i>. The SMRP must be prepared with reference to the EBCR (see Condition 11) and must include:</p> <p>a) clearly defined <i>thresholds and indicators</i> including occurrence, extent, abundance and condition for the following parameters:</p> <p>i) soil;</p> <p>ii) water;</p> <p>iii) air;</p> <p>iv) noise;</p> <p>v) <i>threatened species</i></p>	Compliant (awaiting DoEE approval)	<p>A Sustainability Monitoring and Reporting Plan (SMRP) addressing the requirements of this condition was included in the EMP submitted to DoEE on 7 October 2016.</p> <p>Specifically, Chapter 10 of the EMP outlines the SMRP and combines monitoring and reporting of all key sustainability measures into a snapshot of performance against standards and thresholds established in EMP.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	<p>vi) animal pests, weeds and pathogens; and vii) indigenous and non-indigenous heritage;</p> <p>b) establishment of a representative network of longitudinal reference sites;</p> <p>c) establishment of a periodic vegetation remapping regime (at least every ten (10) years);</p> <p>d) a clearly articulated 'rest and rotation' policy for the protection of areas potentially damaged by overuse;</p> <p>e) descriptions and justifications of survey methodology to be employed;</p> <p>f) a recovery planning process linked to the <b>thresholds and indicators</b> defined in 12 a) above; and</p> <p>g) a requirement for the preparation of annual sustainability monitoring reports on implementation of the SMRP (including any management responses undertaken or intended).</p> <p>Once approved by <b>the Minister</b>, the SMRP must be implemented. Any work undertaken prior to <b>the Minister's</b> approval of the SMRP must have clear and effective protocols in place to monitor the parameters in 12a) above and this information must be included in any reporting on the SMRP.</p>		
13.	Sustainability monitoring reports must be provided to <b>the Minister</b> annually within ten (10) business days of their finalisation, and must	Compliant (awaiting DoEE approval)	The SMRP for the CEA was provided to DoEE on 7 October 2016 and is currently being considered by DoEE.

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	be permanently published at a suitable location on the internet within one (1) month of their finalisation.		
14.	<p><b>Miscellaneous environmental management</b></p> <p>Prior to any <i>commencement</i> of the action, the approval holder must provide <i>the Department</i> with a copy of <i>the CEA lease agreement</i></p> <p><b>Note:</b> The conditions of approval have been prepared in consideration of a draft of the agreement described above.</p> <p>Substantial deviations from this draft may result in variations to the conditions of approval under Section 143 of <i>the EPBC Act</i>.</p>	Compliant	A copy of the signed Miscellaneous Lease for Defence Purposes (MLDP) was provided to DoEE on 30 July 2014 prior to commencement of the action on 9 October 2015.
15.	<p>The following environmental themes must be managed in accordance with <i>the CEA lease Agreement</i>:</p> <ul style="list-style-type: none"> <li>• flora and fauna (except for <i>threatened species</i> as defined for the purposes of these conditions);</li> <li>• bushfire;</li> <li>• water conservation;</li> <li>• noise and vibration;</li> <li>• air and water pollution; and</li> <li>• decommissioning and closure.</li> </ul> <p>Any documents required in accordance with <i>the CEA lease agreement</i> must be provided to the</p>	Compliant	<p>The site is being managed in accordance with the Miscellaneous Lease for Defence Purposes (MLDP) issued by the South Australian Government.</p> <p>Defence submitted documentation about the environmental management of the CEA to the South Australian Government which was endorsed in March 2016.</p> <p>All CEA environmental management activities are required to comply with the requirements of the CEA MLDP.</p>

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	Department upon request.		
16.	<b>Administrative conditions</b> Within fourteen (14) days after the <b>commencement</b> of the action, the approval holder must advise <i>the Department</i> in writing of the actual date of <b>commencement</b> '.	Compliant	Actions involving the demolition of redundant structures commenced on 9 October 2015. Defence notified DoEE on 3 November 2015.
17.	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement all <b>management documents</b> required by this approval, and make them available upon request to <i>the Department</i> . Such records may be subject to audit by <i>the Department</i> or an independent auditor in accordance with section 458 of <i>the EPBC Act</i> , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on <i>the Department's</i> website. The results of audits may also be publicised through the general media.	Compliant	Relevant records are stored on Defence's electronic record management system known as Objective.
18.	Within three months of every 12 month anniversary of the <b>commencement</b> of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of approval, including implementation of any <b>management documents</b> as specified in the conditions of approval.	Compliant	Department of Defence submitted the first Annual Environmental Compliance Report (2017) for the Cultana Expansion Area to DoEE in January 2017.  This Annual Compliance Report is the fourth report, submitted by 13 December 2019. Annual Compliance Reports are published on Defence's Environmental Compliance Reporting website at:

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	<p>Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of approval must be provided to <b>the Department</b> at the same time as the compliance report is published.</p> <p><b>Note:</b> To facilitate administration, this requirement may be addressed concurrently with the annual sustainability monitoring reporting process described in Conditions 12 and 13.</p>		<a href="http://www.defence.gov.au/id/Environmental.asp">http://www.defence.gov.au/id/Environmental.asp</a>
19.	Upon the direction of <b>the Minister</b> , the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to <b>the Minister</b> . The independent auditor must be approved by <b>the Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by <b>the Minister</b> and the audit report must address the criteria to the satisfaction of <b>the Minister</b> .	Not Applicable	Not triggered.
20.	If the approval holder wishes to carry out any activity otherwise than in accordance with a <b>management document</b> specified in the conditions of approval, the approval holder must submit to <b>the Department</b> for <b>the Minister's</b> written approval a revised version of that <b>management document</b> . The varied activity shall not commence until <b>the Minister</b> has approved the varied <b>management document</b> in writing. <b>The Minister</b> will not approve a varied management document unless the revised <b>management document</b> would result in an	Not Applicable	Not required.

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	equivalent or improved environmental outcome over time. If <i>the Minister</i> approves the revised <i>management document</i> , that <i>management document</i> must be implemented in place of the <i>management document</i> originally approved.		
21.	If <i>the Minister</i> believes that it is necessary or convenient for the better protection of the environment to do so, <i>the Minister</i> may request that the approval holder make specified revisions to <i>management documents</i> specified in the conditions of approval and submit the revised management documents for <i>the Minister's</i> written approval. The approval holder must comply with any such request. The revised approved management documents must be implemented. Unless <i>the Minister</i> has approved the revised <i>management document</i> , then the approval holder must continue to implement the <i>management document</i> originally approved, as specified in the conditions of approval.	Not Applicable	Not required
22.	If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of <i>the Minister</i> .	Not Applicable	The action commenced in October 2015.
23.	Unless otherwise agreed to in writing by <i>the Minister</i> , the approval holder must publish all <i>management documents</i> referred to in the	Not Applicable	Management Plans and other documents are made publicly available on Defence's Environmental Compliance Reporting

Condition Number	Condition	Is the project compliant with this condition?	Evidence / Comments
	conditions of approval on their website. Each <i>management document</i> must be published on the website within one (1) month of being approved.		website at: <a href="http://www.defence.gov.au/id/Environmental.asp">http://www.defence.gov.au/id/Environmental.asp</a>

## 5. Correcting Non-Compliances

While the EAC was unable to meet in 2019, three meetings were held with local environmental group, 'The Middleback Alliance' to discuss environmental management, including weeds, feral goat and cat control. These meetings occurred in February, May and October 2019. Defence met the Middleback Alliance in October 2019 to further discuss cat controls to refine methods to be trialled.

The SA Department for Environment and Water (DEW) is the key stakeholder due to the Miscellaneous Lease for Defence Purposes (MLDP) arrangements with the SA Government. Defence met with SA DEW representatives in February and October 2019 to discuss Mallee Fowl sightings and 5<sup>th</sup> year reporting requirements for the MLDP.

No other non-compliances were identified for the Cultana Expansion Area project.

## 6. New Environmental Risks

No new environmental risks have been identified for the Cultana Expansion Area project.