

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Wind Farm in Scott River

Proposal description: The proposal is for the development of an onshore wind farm and involves the construction and operation of up to 20 wind turbines, generating up to 100 MW. Associated infrastructure includes meteorological masts and communication towers, operation and maintenance building, substation and transmission infrastructure and other supporting infrastructure. It is located approximately 15 km northeast of the town of Augusta, in the South West region of Western Australia.

Proposal location: Shire of Augusta Margaret River, South West

Application number: APP-0031437

Date referral received: 30-09-2025

Referrer: Synergy Renewable Energy Developments Pty Ltd

Proponent: Synergy Renewable Energy Developments Pty Ltd

Potential significant effects: There are potential impacts on **terrestrial environmental quality** from disturbance of acid sulfate soils; **terrestrial fauna** from ongoing risks of collision with wind turbines; **inland waters** from dewatering and disturbance of acid sulfate soils; and **social surroundings** from construction and operational noise, dust, vibration, and visual amenity.

Preliminary key environmental factors: terrestrial environmental quality, terrestrial fauna, inland waters, social surroundings

Public comment on referral information:

Do not assess:	39
Assess: a) Referral information	10
b) Environmental review - no public review	14
c) Public environmental review	321
<i>Total submissions:</i>	384

Decision: s. 38G(1) – Not assess – Public advice given

Summary of reasons pursuant to s. 38G(1)(c)

The Environmental Protection Authority (EPA) has decided not to assess the proposal because:

- The EPA considers that the likely environmental effects of the proposal are not so significant or unmitigated as to warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).
- The EPA sought additional information from the proponent under s. 38F(1) and (2) of the EP Act to enable it to decide whether or not to assess the proposal. The proponent commissioned a peer review of the Preliminary Bird and Bat Adaptive Management Plan (Appendix N, Eco Logical 2025) (Preliminary BBAMP) and provided an amended version to the EPA. The amended Preliminary BBAMP addresses the comments received from the peer review and the additional information requested by the EPA. Additional trigger and threshold actions and associated monitoring and mitigation measures have been defined to manage ongoing risks to terrestrial fauna, including conservation significant, migratory, and non-listed species. The proponent also provided additional information

on the ability of other decision-making processes to regulate the potential impacts of the proposal consistent with the EPA's objectives. The EPA considers that the proponent's response adequately addresses the EPA's notice requiring further information.

- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document, management outlined in the Referral Information, and the amended Preliminary BBAMP.
- The EPA considers that potential ongoing risks of impacts on terrestrial fauna from the construction and operation of the proposal can be regulated under other decision-making processes (see subsection below). The proponent has proposed further measures, including the following:
 - minimum separation distances between turbines and native vegetation, and establishing avoidance areas around wetland habitats and habitat trees suitable for significant fauna species, to minimise direct and indirect impacts.
 - obtain authorisation under s40 of the *Biodiversity Conservation Act 2016* to take or disturb threatened fauna.
- The EPA considered cumulative impacts of the proposal with other activities within the area. The proposed clearing represents a small increase to the cumulative clearing of native vegetation within the local area and is not considered to cause any additional fragmentation. Given the mitigation and management measures proposed, the potential loss or degradation of hydrological catchments from the proposal is not considered to result in a significant loss or degradation of these catchments. The EPA considers that the impacts from the proposal are unlikely to contribute to additional cumulative impacts which would undermine achievement of EPA's objectives.
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.
- The EPA considers that potential environmental impacts associated with the construction and operation of the proposal can be regulated by other decision-making processes (see subsections below).

Taking into account decision-making processes under Part V of the EP Act (clearing permit)

- The proposal occurs on primarily cleared agricultural land in the South West of Western Australia. The clearing of native vegetation has been limited to a maximum of 1 hectare, and no clearing of Threatened Ecological Communities, Priority Ecological Communities, or threatened or priority flora species will occur.
- The impacts associated with the clearing of native vegetation, including direct impacts on fauna habitat can be assessed and regulated under Part V Division 2 (Clearing) of the EP Act.
- The proponent will submit an application to the Department of Water and Environmental Regulation (DWER) for a permit to clear the vegetation under Part V Division 2 (Clearing) of the EP Act.
- In assessing the application, DWER will consider the application of the mitigation hierarchy and the ten clearing principles outlined in the EP Act, and whether any conditions should be prescribed to manage potential impacts to vegetation.

Taking into account decision-making processes under the Rights in Water and Irrigation Act 1914 (RiWI Act)

- The proposal has the potential to impact on terrestrial environmental quality and inland waters, particularly the Scott River, Blackwood River and associated tributaries, from the disturbance of acid sulfate soils (ASS) during construction and temporary dewatering activities.
- The proponent has prepared a Preliminary Acid Sulfate Soils and Dewatering Management Plan (Appendix B, PTG 2025) (ASSDMP), which will be refined following further detailed geotechnical site investigations.
- The impacts associated with disturbance of ASS from dewatering can be regulated under the RiWI Act, and a finalised ASSDMP will be required prior to the grant of a s5C licence under the RiWI Act to undertake dewatering.

Taking into account decision-making processes under the Planning and Development Act 2005 (PD Act)

- The construction and operation of the proposal has the potential to impact on the environmental, social, and visual amenity values within the local area, including the broader Leeuwin Naturaliste coast and locality of Augusta.
- The EPA notes that in considering development applications, the Regional Development Assessment Panel (RDAP) will have regard for relevant state planning policies, the Shire of Augusta Margaret River's *Local Planning Policy 23 – Renewable Energy Systems* (LPP 23), public submissions received during advertising periods, and advice provided by other government agencies.
- The Shire of Augusta Margaret River's LPP 23 outlines information required to be submitted by applicants seeking Development Approval for large renewable energy systems. This includes, but is not limited to, noise impact assessment to demonstrate compliance with the Environmental Protection (Noise) Regulations 1997 (Noise Regulations), visual management assessment with respect to impacts to amenity (light spill, shadow flicker, and glare), the preparation of specific environmental assessments, particularly where the proposal may result in impacts upon flora and fauna, a traffic management assessment, and a fire management plan.
- The EPA notes that under Section 67(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations), due regard must be given to the environmental and social impacts relevant to the proposal when considering an application for Development Approval.
- The proponent will implement measures to manage electromagnetic interference, and to avoid blade glint and shadow flicker and has committed to ongoing engagement with landowners regarding potential visual screening and landscaping.
- A peer-reviewed Preliminary BBAMP has been prepared to monitor and manage ongoing risks to terrestrial fauna from operation of the proposal. The Development Approval required for the proposal under the PD Act may also assess and regulate ongoing risks to birds and bats by including the implementation of a BBAMP as a condition of Development Approval.

- The proponent has prepared a Preliminary ASSDMP, which will be refined following further detailed geotechnical site investigations. The impacts associated with disturbance of ASS from excavation can be regulated under a Development Approval required for the proposal under the PD Act which may also assess and regulate risks from the release of ASS by including the implementation of an ASSDMP as a condition of Development Approval.
- Potential impacts on social surroundings from noise have been adequately considered by the proponent in proposal design and in accordance with the Noise Regulations and other related guidelines and are not likely to have a significant impact. The EPA notes that the Development Approval required under the PD Act may also assess and regulate impacts relating to noise.
- These types of impacts on environmental, social and visual amenity values can be mitigated and managed through conditions of Development Approval granted by the RDAP under PD Act through the provisions of the LPS Regulations, which allow for consideration of any relevant environmental and social impacts as part of the Development Approval process.

Taking into account decision-making processes under the Aboriginal Heritage Act 1972 (AH Act)

- The proposal is located within the South West Boojarah Indigenous Land Use Agreement area. One registered Aboriginal heritage site and one lodged Aboriginal place intersect the Development Envelope and therefore the proposal has the potential to disturb Aboriginal cultural heritage as a result of clearing and construction activities.
- The EPA considers the proponent has taken reasonable steps to consult with the Karri Karrak Aboriginal Corporation, the representative body for the South West Boojarah People, and has entered into a Noongar Standard Heritage Agreement. Archaeological and ethnographic heritage surveys have been completed and the proponent has avoided all known sites in their design.
- The EPA notes the proponent has advised that no direct impacts to registered Aboriginal heritage sites or values are expected from the proposal. The EPA is satisfied that the processes provided for under the AH Act can mitigate potential direct impacts to registered Aboriginal heritage sites to be consistent with the EPA objectives.

Public advice

The EPA acknowledges the concerns raised during the 7-day public comment period in relation several environmental factors, including potential impacts of the proposal on avian fauna, social values, and potential contamination risks. The EPA notes the location of the proposal in relation to the former Beenup Mineral Sands Mine and the risks associated with disturbing ASS and potential impacts on surface water and groundwater.

Advice to other decision-making authorities

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- The proponent's Proposal Content Document specifications about the size and purpose of the clearing and the mitigation hierarchy are material to ensuring the proposal is not likely to have a significant impact on the environment.
- The EPA supports the assessment and regulation of the native vegetation clearing under Part V Division 2 (Clearing) of the EP Act to ensure the environmental outcome of maintaining biological diversity and ecological integrity is achieved. The EPA expects that this process will minimise the extent of flora and vegetation and terrestrial fauna habitat impacted by the proposal.
- To mitigate potential impacts associated with construction of the windfarm, the EPA supports the implementation of an ASSDMP to manage potential impacts of ASS. The EPA notes that assessment and regulation of the proposed dewatering under the RiWI Act will require a finalised ASSDMP to obtain a dewatering licence under s5C of the RiWI Act. The EPA notes an authorisation under the RiWI Act should ensure the following environmental outcomes are achieved:
 - maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected
 - maintain the quality of land and soils so that environmental values are protected.
- To mitigate potential impacts associated with construction of the windfarm, the EPA supports the implementation of an ASSDMP to manage potential impacts of ASS. The EPA recommends that assessment and regulation of impacts on terrestrial environmental quality and inland waters under the PD Act should consider risks relating to the potential release of ASS. The EPA recommends a Development Approval should include a condition requiring detailed geotechnical investigations and the implementation of an appropriate ASSDMP to ensure the following environmental outcomes are achieved:
 - maintain the hydrological regimes and quality of groundwater and surface water so that environmental values are protected
 - maintain the quality of land and soils so that environmental values are protected.
- The EPA expects that the RiWI Act and PD Act processes will ensure that measures are implemented to adequately manage risks relating to the potential release of ASS and potential impacts on terrestrial environmental quality and inland waters.
- To mitigate potential impacts on terrestrial fauna associated with operation of the windfarm, the EPA supports the implementation of a BBAMP to manage impacts to bird and bat species. The EPA recommends that assessment and regulation of impacts on terrestrial fauna under the PD Act should consider risks to birds and bats from operation of the wind turbines, including the ongoing risks of strike, collision, and barotrauma. The EPA recommends a Development Approval should include a condition requiring the implementation of an appropriate BBAMP to ensure the environmental outcome to maintain biological diversity and ecological integrity is achieved. The EPA expects that these processes will ensure that management of ongoing impacts of wind turbine operations to fauna are managed over its lifetime.
- To mitigate potential impacts associated with operation of the windfarm, the EPA supports the implementation of noise management and visual amenity measures to

manage impacts to social surroundings. The EPA recommends that assessment and regulation of impacts on social surroundings under the PD Act, including the Noise Regulations and other related guidelines, should ensure the environmental outcome to protect social surroundings from significant harm is achieved. The EPA expects that these processes will ensure that management of ongoing impacts of wind turbine operations to social surroundings are managed.

- The assessment and regulation of Aboriginal cultural heritage under the AH Act and other related guidelines should ensure the environmental outcome to protect social surroundings from significant harm is achieved.

Material information considered by the EPA in this decision

The EPA has considered the following material information in making its decision:

- Wind Farm in Scott River – Referral of a proposal under s.38 of the EP Act (30 September 2025)
- Wind Farm in Scott River – Proposal Content Document
- Wind Farm in Scott River – Referral Supporting Document (September 2025), including Appendices A-T
- Comments received during the 7-day public comment period
- Wind Farm in Scott River – Section 38F (1) and (2) – Response to Notice Requiring Further Information
- Advice – Department of Water and Environmental Regulation’s (DWER’s) Contaminated Sites Branch
- Advice – DWER’s Environmental Noise Branch
- Advice – DWER’s South West Regions Branch
- Advice – Shire of Augusta Margaret River
- EP Act s.3, s.4, Part IV, Admin Procedures, EPA factor and technical guidance.

Appeals: There are no rights of appeal under the EP Act in respect of this decision.



Darren Walsh

Chair

Delegate of the Environmental Protection Authority

Date: 05 December 2025