

Environmental Protection Act 1986

Section 38F(1) and (2)

NOTICE REQUIRING FURTHER INFORMATION

PERSON TO WHOM THIS NOTICE IS GIVEN

Synergy Renewable Energy Developments Pty Ltd (ABN: 58 673 830 106)
Level 23, 152-158 St Georges Terrace
PERTH WA 6000

PROPOSAL TO WHICH THIS NOTICE RELATES:

Wind Farm in Scott River

Pursuant to s. 38F(1) and (2) of the *Environmental Protection Act 1986*, as a delegate of the Environmental Protection Authority (EPA), I consider that the EPA does not have enough information about the above proposal to enable it to decide whether or not to assess this proposal, or the appropriate level of assessment if applicable. I therefore request you to provide the EPA with the following information in accordance with the EPA's guidelines, procedures and instructions (www.epa.wa.gov.au/guidelines-and-procedures).

1. Management of potential impacts to birds and bats

The EPA considers the implementation of an appropriate Bird and Bat Adaptive Management Plan to be a key management measure to mitigate ongoing risks to birds and bats from turbine collision, strike, and barotrauma from the proposal.

A Preliminary Bird and Bat Adaptive Management Plan (Appendix N, Eco Logical 2025) (Preliminary BBAMP) has been prepared to outline a proposed monitoring program, and includes triggers and contingency actions. It is noted that Table 6-1 of the Preliminary BBAMP includes trigger actions to implement additional mitigation strategies if a significant impact has or is likely to have occurred, however it does not include threshold criteria for, or define what constitutes, a significant impact.

To provide the EPA with confidence that the Preliminary BBAMP can ensure the EPA's objective for terrestrial fauna to be met, the following information is required:

- Amend the Preliminary BBAMP to define what constitutes a significant impact and include threshold criteria and appropriate threshold contingency actions based on the defined significant impact(s).
- Commission a peer review of the Preliminary BBAMP by a suitably qualified specialist, following implementation of the amendments outlined above. The peer review should discuss the adequacy of baseline data, the risk assessment, proposed monitoring program (methods, duration and reporting), and the ability of the proposed trigger criteria and management actions to mitigate the potential impacts of the proposal consistent with the EPA's objective.

2. Federal referral of proposal

As part of its decision-making process, the EPA considers the ability of other decision-making processes to regulate the potential impacts of a proposal consistent with the EPA's objectives. Advice received from other decision-making authorities is also considered by the EPA as part of its decision-making process.

The proposal involves an action that may be or is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This action relates to potential impacts on EPBC Act listed black cockatoo species and migratory species (Terrestrial Fauna). The proponent has advised that the proposal will be referred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) in late October or early November 2025.

To assist with the EPA's decision-making process in relation to the ability of DCCEEW to regulate potential impacts on terrestrial fauna, the following information is required:

- The date that the proposal will be, or was, referred to DCCEEW under the EPBC Act, and the referral reference number, if a referral has been made.
- Any advice received from DCCEEW in relation to potential impacts on terrestrial fauna and the adequacy of the proposed management measures.

3. Other decision-making processes

To assist with the EPA's decision-making process in relation to the ability of other decision-making authorities to regulate potential impacts of the proposal, the following information is required:

- Outline the other decision-making processes relevant to the proposal and how these processes can manage the potential impacts of the proposal consistent with the EPA's objectives.
- Outline the public consultation that will occur as part of the other decision-making processes relevant to the proposal.

The EPA is also seeking independent advice directly from relevant decision-making authorities regarding their ability to regulate the potential impacts of the proposal. Their advice will be considered as part of the EPA's decision whether or not to assess the proposal, or the appropriate level of assessment if applicable.

4. Timeframe for response:

You are requested to provide the information set out above by no later than **24 November 2025**. Please respond with either:

- (a) the information requested, or
- (b) advice that further information is not available and/or cannot be obtained.

Your response should be lodged via the Environment Online portal by uploading your response to RFI-0000958. Please quote 'APP-0031437' on any further correspondence.

The EPA will not make a determination on whether or not to assess the proposal until you have provided the requested information or advised the EPA that the information is not available and/or cannot be obtained.

Once the information or advice has been provided, the EPA will proceed to make its decision on whether or not to assess the proposal and the appropriate level of assessment, if applicable. You will be notified once the EPA has made a decision.

If you do not provide the requested information by the date listed above, the EPA may declare the referral to have been withdrawn and will write to you accordingly (s. 38F(4)).

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Walsh', written in a cursive style.

Mr Darren Walsh
CHAIR
Environmental Protection Authority

27 October 2025