

Title of Proposal - Kondinin Wind and Solar Farm

Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

1.1 Project Industry Type

Energy Generation and Supply (renewable)

1.2 Provide a detailed description of the proposed action, including all proposed activities.

The key infrastructure components of the Kondinin Wind and Solar Farm (Project) include:

- Up to 46 wind turbines and hardstand infrastructure;
- Up to 4 temporary wind monitoring towers;
- Up to 4 permanent wind monitoring towers;
- Up to 2 new substations;
- Up to 2 permanent site offices, workshops and warehouses;
- Up to 2 small office, lunch room, amenities and ablutions;
- Up to 43 km of gravel capped roads;
- Up to 4 new permanent site entries;
- Underground and above ground power and communication cables;
- Up to 10 km of medium/high voltage overhead powerlines;
- New fencing with grids and gates;
- Up to 4 laydown and stockpile areas;
- Up to 3 temporary construction compounds;
- Temporary concrete batching plant and storage facilities;
- Energy storage infrastructure;
- Up to 125 hectares of Solar farm infrastructure; and Power conversion stations (the PCS) within the Solar Farm, which include central inverters, step up transformers and switchgear in 40 ft (approximately 12 m) containers or container skid pads.

The Project proposes to install up to 46 wind turbines, an accompanying 125 hectares of solar farm, energy storage and all associated infrastructure at a site 5km north east of Kondinin, Western Australia in a development to be known as the Kondinin Wind and Solar Farm.

The Project area will be established on parts of 19 freehold lots, refer to Figure 2 (Attachment A2). The main infrastructure locations including the turbines, solar farm, and transmission lines are further illustrated in Figure 3 (Attachment A3). The Project construction footprint is anticipated to cover approximately 288 ha.

It is proposed that all infrastructure (listed above) will be located within the Development Envelope (also referred to as Project Area in the development application documentation) (shown in Figure 6, Attachment A4). Native vegetation will mostly be avoided apart from very minor clearing for access (Figure 5.5, Attachment A8). The Solar farm location is only to be on Lot 16621 and wind turbines are restricted to those areas within the Wind Farm Envelope

(shown in Figure 6, Attachment A4).

The detailed design stage is when the selected wind turbine make and model, solar array design, and energy storage capacity will be completed and informed based on information on wind and solar energy modelling from existing onsite resource monitoring, geotechnical investigations, ecological constraints, network capacity connection constraints and the market for renewable energy.

The Project infrastructure is comprised of linear, non-linear and temporary infrastructure. The overall footprint of the infrastructure is determined by the final wind and solar farm design and design of roads, cabling and overhead lines. To accommodate these various scales and stages of the wind farm, various optional infrastructure has been included within the Project (e.g. several substation locations are included). A maximum Project layout is described, within which the Project will be accommodated. The Project layout has been developed to minimise and where possible, avoid impacts on known environmental constraints.

Project construction may be:

- completed in its entirety during one construction period of around 20 months, or
- staggered to construct the Project progressively in two or more stages over a 24-month period, or
- staggered over a longer period, where some stages of the wind farm are operational for a period and the balance of the Project is completed at some point in the future.

1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Indicative project location only	1	-32.454678334913	118.24784261878
Indicative project location only	2	-32.454678334913	118.24784261878
Indicative project location only	3	-32.411502503101	118.29642278846
Indicative project location only	4	-32.411067741976	118.37487203773
Indicative project location only	5	-32.480747678501	118.3750436991
Indicative project location only	6	-32.48031325129	118.32869512733
Indicative project location only	7	-32.462210253809	118.24801428016
Indicative project location only	8	-32.454678334913	118.24784261878

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland).

The Project is located approximately 5 km north-east of Kondinin and is situated approximately 270km east from Perth and will be established encompassing all or parts of 19 freehold rural lots comprising approximately 3,105 ha.

The existing land use within the region is predominantly rural, characterised predominantly by agriculture crops with some grazing of livestock. The closest townships, other than Kondinin, include Corrigin, 45km to the north west and Hyden, 60km to the east. Dominant industries in both these small township areas include agriculture and tourism.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

The Project Area encompasses parts of 19 freehold rural lots comprising 3,105 ha. Construction Disturbance footprint is 288 ha.

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title. Refer to Figure 2, Attachment A2.

1.8 Primary Jurisdiction.

Western Australia

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

No

1.10 Is the proposed action subject to local government planning approval?

Yes

1.10.1 Is there a local government area and council contact for the proposal?

Yes

1.10.1.0 Council contact officer details

1.10.1.1 Name of relevant council contact officer.

Tory Young, Manager Planning and Development, Shire of Kondinin, Western Australia.

1.10.1.2 E-mail

mpd@kondinin.wa.gov.au

1.10.1.3 Telephone Number

(08) 9889 1006

1.11 Provide an estimated start and estimated end date for the proposed action.

Start date 12/2019

End date 12/2021

1.12 Provide details of the context, planning framework and State and/or Local government requirements.

A Planning Compliance Report (Attachment A5) was prepared by third party specialist (AECOM) to assess the anticipated planning requirements in support of the Kondinin Wind and Solar Farm Proposal.

The report considers, and provides evidence of, meeting the main planning and environmental legislation and guidance requirements applicable to this type of development in the Shire of Kondinin.

The document identifies the planning framework which governs developments in Western Australia and examines whether the project has met the criteria at Federal, State and Local perspectives.

A development application for the Project was lodged with the Shire of Kondinin on behalf of the Mid-West Wheatbelt Joint Development Panel on the 9 August 2018.

Development approval was granted on 9 November 2018 in accordance with regulation 8 of the Planning and Development (Development Assessment Panels) Regulations 2011. Refer to Attachment A6 for a copy of the determination and conditions of approval.

An EPA Referral was submitted on 31 July 2018 in accordance with Section 38 of the Environment Protection Act 1986. The Project was examined and received a "Notice of Decision Not to Assess Proposal" on the 22 October 2018. Refer to Attachment A7 for a copy of the determination and conditions of approval.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders.

Kondinin Energy has identified and subsequently engaged with several key stakeholders on the Project and will continue to liaise with the community during the pre-construction phase,

construction and operational phases of the Project. Kondinin Energy has undertaken presentations or been involved in meetings with the following organisations:

- Presentation to Officers and Councillors of Kondinin Shire Council – August 2017; and
- Public Exhibition held at the Community Resource Centre facilities – September 2017.
- Presentation to the Mid-West Wheatbelt Joint Development Application Panel – 9 November 2018 regarding the development application.

Kondinin Energy has had ongoing discussions with host landowners since early 2016 and nearby landowners and members of the community since mid-2017.

Direct community engagement has also commenced via the Project's website (<http://www.kondininwindandsolar.com.au>) with individuals or businesses contacting Kondinin Energy to register their interest in future work opportunities or find out more about the Project.

In addition, as part of the EPA Referral process, in which the Project was examined and received a "Notice of Decision Not to Assess Proposal" on the 22 October 2018, the EPA also consulted with various relevant government agencies.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project.

An assessment of the Proposal (Attachment A5) on behalf of Kondinin Energy in support of a development application seeking development approval from the Mid-West Wheatbelt Joint Development Application Panel, Western Australia, under the WAPC Planning Bulletin 67 for the proposed Kondinin Wind and Solar Farm (the Project).

The following studies were undertaken for the Project and formed part of the development application:

- Flora and Fauna Assessment
- Landscape and Visual Impact Assessment
- Noise Impact Assessment
- Traffic Impact Assessment
- Electromagnetic Interference Assessment
- Aviation Impact Assessment

Section 5.4 of the Flora and Fauna Assessment- Attachment A8 details the potential impact of the project including an assessment of impacts against MNES.

Based on the ecological surveys and environmental impact assessment undertaken by SW Environmental, it was advised that the project will be unlikely to cause significant impacts to any MNES and that the project was unlikely to require referral under the EPBC Act.

Despite the Project not triggering the need for referral under relevant significant impact criteria, Kondinin Energy has proceeded with the EPBC Act referral process to provide legal certainty for the project. The Project has taken measures to avoid all significant impacts and Kondinin Energy believe that the proposed action does not warrant further assessment.

PROJECT IMPACTS ASSESSED AGAINST MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

Eucalypt Woodlands of the Western Australian Wheatbelt threatened ecological community (TEC)

No impacts to TECs are proposed. Refer to Attachment A1.

Bats

The bird and bat risk assessment (Appendix A.5) which considered operational impacts of the wind farm on birds and bats using ecological and biological information on the species against risk factors, identified that no threatened bats are likely to be impacted by the project. A number of common and secure species were considered as 'at risk' species, indicating that they have potential to suffer collision mortality at the proposed wind farm from time to time, should they occur on site. The Kondinin Wind Farm was considered to present an **overall low risk to bats** as a potential wind farm site.

Birds

The bird and bat risk assessment (Appendix A.5) identified that the Kondinin Wind Farm was considered to present an **overall low risk to birds** as a potential wind farm site:

- There is no significant or important bird or bat habitat nearby,
- The proposed turbine model includes a minimum RSA height which is well above the average height of - vegetation,
- The proposed layout includes at least a 20 m buffer from vegetation remnants.
- No threatened or migratory birds were observed during the fauna surveys.

Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*)

No evidence of Black Cockatoos was observed on site during the surveys; individuals, feed sign, breeding hollows, roosting trees or otherwise. The desktop bird and bat risk assessment (Appendix A.5 of the Flora and Fauna Assessment- Attachment A8) identified that Carnaby's Black Cockatoo may possibly occur at site but is at the eastern extent of its range.

The bird and bat risk assessment (Appendix A.5 of Attachment A8) identified Carnaby's Black Cockatoo as being an 'at risk' conservation significant species. Carnaby's Black Cockatoo likelihood of collision was considered rare as individuals would fly below the RSA height but due to their endangered status of the population, they were classified as a moderate risk species for collision.

The Project was assessed against EPBC Act referral guidelines for Carnaby's Black Cockatoo (EPBC Act significant impact trigger criteria from 'Referral guidelines for three species of Western Australian black cockatoos', SEWPAC 2012), Table 5-1 Flora and Fauna Assessment (Attachment A8). It was found that the Project impacts (clearing and operational) were unlikely to trigger any of the referral criteria for the species based on:

- The maximum clearing of 0.15 ha of vegetation was considered to be only marginal foraging habitat and well under 1 ha in area.
- No roosting sites were observed at the site
- There was no known black cockatoo breeding habitat within the project area. Paddock trees that may contain hollows would be avoided.

The EPA supports the recommendations in the Flora and Fauna Assessment (SW environment, 2017) that any paddock trees >30cm diameter at breast height that may support hollows should be avoided. If during detailed design, any paddock trees greater than 30 cm diameter are identified to be cleared, the tree should be surveyed by an experienced fauna consultant to confirm the absence of any hollows. If any hollow bearing tree did require clearing, it should be scheduled outside of Black Cockatoo key breeding periods (August to February) and an experienced and licensed fauna specialist should be present during clearing to manage any displaced/injured wildlife.

The likelihood of potential impacts to Carnaby's Black Cockatoo are therefore considered to be low and not likely to trigger a significant impact under the EPBC Act.

Migratory Species

Rainbow Bee-eater (*Merops ornatus*)

No Rainbow Bee-eaters were observed on site during the surveys. Rainbow Bee-eaters are widespread across most of mainland Australia in a range of habitats from vegetated areas to cleared pastures, dunes and coastal areas. They generally fly under canopy height but do fly higher during migration. It is a possibility that strike may occur as birds are flying higher during migration.

The population is considered to be large and secure; the species is not threatened. Based on these considerations, the consequence of any collisions of Rainbow Bee-eater is insignificant. That is, the impact would not be detectable on the species in the short-term and not likely to trigger a significant impact under the EPBC Act.

Wetlands and migratory flyways

The Project is not situated along any major migratory bird flyways (refer to Figure 3-1 of Flora and Fauna Assessment indicating the general location of routes in the East Asia/Australasia Flyway and Section 5.3.1). There are no routes near the site.

The Project is an area of mostly cleared agricultural land in the crook of the confluence of the Lockhart River and Camm River. The closest wetlands to the project are the Kondinin Lake Nature Reserve which is part of a band of seasonal lakes; eight kilometres west from the closest proposed turbine. It is not listed in the Directory of Important Wetlands in Australia (nor is it a RAMSAR site), which indicates that the local ephemeral lake system is unlikely to provide important habitat for nomadic or migratory waterbirds. The nearest RAMSAR site is Toolibin Lake about 80km southwest of the site.

Lake Kondinin and other nearby wetlands may have the capacity to support larger flocks or rare species from time to time in ideal conditions, when there is sufficient rainfall. However, given the degraded state of the river system, this is likely to be a rare occurrence. The surrounding quality of nearby wetlands will not encourage migratory species which means there is a low at risk of collision from migratory birds with the wind turbines.

Overall, the Kondinin Wind and Solar Farm presents a low collision risk to birds and bats. The Project has been designed to avoid impacts on the TEC. The likelihood of potential impacts to Matters of National Environmental Significance are low.

1.15 Is this action part of a staged development (or a component of a larger project)?

No

1.16 Is the proposed action related to other actions or proposals in the region?

No

Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

2.1 Is the proposed action likely to have ANY direct or indirect impact on the values of any World Heritage properties?

No

2.2 Is the proposed action likely to have ANY direct or indirect impact on the values of any National Heritage places?

No

2.3 Is the proposed action likely to have ANY direct or indirect impact on the ecological character of a Ramsar wetland?

No

2.4 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

No

2.5 Is the proposed action likely to have ANY direct or indirect impact on the members of any listed migratory species, or their habitat?

No

2.6 Is the proposed action to be undertaken in a marine environment (outside

Commonwealth marine areas)?

No

2.7 Is the proposed action to be taken on or near Commonwealth land?

No

2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

No

2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?

No

2.10 Is the proposed action a nuclear action?

No

2.11 Is the proposed action to be taken by the Commonwealth agency?

No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?

No

2.13 Is the proposed action likely to have ANY direct or indirect impact on any part of the environment in the Commonwealth marine area?

No

Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

3.1 Describe the flora and fauna relevant to the project area.

A summary of the flora and fauna values from the desktop and site surveys (refer to Attachment A8 for further details) are provided below:

- Nineteen native vegetation units varying in condition from completely degraded to excellent condition, across >75 patches (the largest at 24 ha) totalling approximately 153 ha.
- Several structural fauna habitats occur at the site with poor to good fauna habitat value, and include:
 - o Tall woodland,
 - o Mallee,
 - o Shrubland,
 - o Cropped land,
 - o Farm dams (approximately 30),
 - o Granite outcrops.
- Beard vegetation associations 1023 and 960 that are considered over-cleared (less than 30% remaining) and under-reserved (less than 10% reserved) (DAFWA 2016) occur across the project area.
- Priority flora (4 taxa) and fauna (1 taxa) were identified as occurring within the project area, an additional 46 flora and seven fauna of conservation significance may potentially occur at the site.
- One hundred and thirty vascular flora taxa were identified within the project area, of which three were introduced species (partial list only).
- Sixty-three fauna species were identified during the field visit; 44 of these were birds.
- The presence of 29.4 ha of federally-listed "Eucalypt Woodlands of the Western Australian Wheatbelt" (also P3) across the project area. This will be avoided.

It is noted that impacts to the values above will largely be avoided due to the proposed impacts

on native vegetation being limited to minor clearing of degraded road verge vegetation.

3.2 Describe the hydrology relevant to the project area (including water flows).

The Kondinin Wind Farm is located in an area of mostly cleared agricultural land in the crook of the confluence of Lockhart River and Camm River. The closest wetlands to the project are the Kondinin Lake Nature Reserve which is part of a band of seasonal lakes; eight kilometres west from the closest proposed turbine, two kilometres south west of the proposed substation. It is not listed in the Directory of Important Wetlands in Australia (nor is it a RAMSAR site), which indicates that the local ephemeral lake system is unlikely to provide important habitat for nomadic or migratory waterbirds. The nearest RAMSAR site is Toolibin Lake about 80km southwest of the site.

The topography at the site consists of low rolling hills which have been cleared, with a number of ephemeral natural drainage features over the site. They are all degraded and in most cases completely cleared of native vegetation. There are approximately 30 farm dams, varying in size from about 0.1-0.4 ha, located at various locations around the site. They are generally devoid of native vegetation along the banks. There are no other wetlands at the site.

3.3 Describe the soil and vegetation characteristics relevant to the project area.

The project is located in the Western Mallee (MAL2) sub region of the Mallee Bioregion, as defined in the Interim Biogeographical Regionalisation for Australia (IBRA) (DE, 2017). The Mallee Bioregion is the south-eastern part of Yilgarn Craton. Its landscape is gently undulating, with partially occluded drainage, and is fragmented with particular surface-types almost completely cleared as wheatfields (Beecham and Danks, 2001).

The Western Mallee (MAL2) sub region main surface-types comprise clays and silts underlain by Kankar, exposed granite, sandplains and laterite pavements. It is characterised by salt lake systems on a granite basement and occluded drainage. Mallee communities occur on a variety of surfaces; Eucalyptus woodlands occur mainly on fine-textured soils, with scrub-heath on sands and laterite. The climate is warm Mediterranean and annual rainfall is 250-500 millimetres (Beecham and Danks 2001).

The project is in the South-eastern Zone of Ancient Drainage (SZAD) in the Avon Province. The SZAD extends from Corrigin east through Hyden to the edge of the intensive agricultural zone (clearing line), and south to the north-eastern part of the Shire of Gnowangerup (Verboom and Galloway, 2004). It is described by Schoknecht, et al. (2004) as a smooth to irregularly undulating plain dominated by salt lake chains in the main valleys. Duplex and lateritic soils on the uplands are characterised by Mallee vegetation (on duplex soils) and Proteaceous vegetation on gravels and sands (Schoknecht, et al. 2004). Within the SZAD, the project is situated on soils of the Corrigin East (250Ci) soil landscape system. A small section of the transmission line easement also crosses the Kondinin (250Ki) soil landscape system. These are described below:

- 250Co: Gently undulating rises to undulating low hills in the southern wheatbelt, with laterite, sandy & loamy gravels, duplexes & loamy earths & clays over mixed mafic rock. Heath & Mallee

on lateritic uplands. Mallees on upper colluvial slopes, Salmon gum on lower colluvial slopes.

- 250Ki: Broad flat valleys of the southern Ancient drainage zone with fine textured alluvial soils derived mainly from mafic parent material. Mainly Eucalyptus woodlands, including *E. loxophleba*, *E. salmonophloia*, *E. capillosa*, *E. salubris* and halophytes.

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area.

There are no known outstanding natural features and/or any other important or unique values relevant to the project area.

Within the site of the proposed Development there are no significant landscape features. The site is predominantly cleared agricultural land, with much of the land having been cleared more than 100 years ago.

3.5 Describe the status of native vegetation relevant to the project area.

Nineteen vegetation units were recognised within the project area (Table 4-1, in Attachment A8). The structure of most of the vegetation units is Mallee, with some woodland units containing the trees *Eucalyptus salmonophloia* and *E. loxophleba subsp. lissophloia* and (rarely) *E. ornata*. There are several shrubland units and one unit (O), is comprised primarily of a lithic hermland complex over granite outcrops. A similar range of structural formations was found in the vegetation of West Bending Reserve, immediately to the north of the Project Area, by Muir (1977b).

Several of the vegetation units within the Project Area fit the definition of the Federally-listed threatened ecological community "Eucalypt Woodlands of the Western Australian Wheatbelt". In particular, those patches of vegetation units A, E, I and P which fit the area and condition criteria as outlined in Commonwealth of Australia (2016) would likely qualify. There were no State-listed threatened ecological communities within the Project Area, however, the federally-listed "Eucalypt Woodlands of the Western Australian Wheatbelt" is also listed as a State-listed Priority 3 ecological community. Note that these areas of vegetation will be avoided.

The project lies within the Roe district of the South-western Botanical Province (Beard, 1980). Three vegetation associations are mapped as occurring within the project area

- 1023 Medium woodland; York gum, wandoo & salmon gum (*E. salmonophloia*)
- 960 Shrublands; mallee scrub, redwood & black marlock
- 128 Bare areas; rock outcrops

Beard vegetation associations 1023 and 960 that are considered over-cleared (less than 30% remaining) and under-reserved (less than 10% reserved) (Beard 1972, 1980; DAFWA 2016) occur across the project area. The Beard vegetation associations across the site however are already in completely degraded and degraded condition. They are not considered to be

representative of the Beard communities that have been mapped nor would clearing be likely to conflict with the EPA values associated with over-cleared vegetation types.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The project is located on land at an altitude of between 274 – 384 AHD (Government of Western Australia, 2018a).

3.7 Describe the current condition of the environment relevant to the project area.

The site is dominated by completely degraded native vegetation, paddock trees and cropped areas (95.3% of the site). Mallee accounts for 3.2% of the site area, native shrubland for 1.2% and woodland occupies only 0.3% of the site. Native vegetation will generally be avoided with only minor clearing of up to 0.15 ha proposed.

3.8 Describe any Commonwealth Heritage Places or other places recognised as having heritage values relevant to the project area.

There are no national or world heritage places listed under the PMST as occurring within 10km of the Project area.

A search of the State Heritage Office State inHerit database (Government of WA, 2018) found several sites associated with Kondinin. The only one located within or close to the project is the Notting Siding - Site of Kondinin (Place number: 11280) which is listed under the Shire of Kondinin Municipal Heritage Inventory (undated).

The site describes the railway line that passed through Notting and Bendering in 1917 as the first stage of the Kondinin to Narembreen extension of the Yilliminning-Kondinin line. Narembreen was subsequently the railhead until 1925 when the line opened through to Merredin. The site was a point midway between Kondinin and Bendering, to assemble bagged wheat for railway transport to port.

There is already an existing overhead powerline over this site. The site will not be impacted by the Project.

3.9 Describe any Indigenous heritage values relevant to the project area.

A search of the Department of Planning, Lands and Heritage Aboriginal Heritage Inquiry System (AHIS) database on 23 October 2017 indicated no registered Aboriginal artefacts or Aboriginal sites have been recorded on the site.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area.

Freehold

3.11 Describe any existing or any proposed uses relevant to the project area.

The site of the proposed Development is within pastoral fields. Expanses of cereal crops and wide, open views are the dominant site characteristics of the area proposed for the solar and wind farm. The landscape is predominantly cleared for grain cropping and sheep / pastoral activities but remnant pockets of vegetation within the farm land and roadside vegetation are present.

The sites proposed for the Development for use by the wind farm components of the development are currently used for agricultural grain crop production and are zoned Rural in the Shire of Kondinin Town Planning Scheme No. 1.

Construction activities are expected to include:

- New or upgrade of existing access roads from the Notting-Karlgarin Road to the project area
- Earthworks and preparation of reinforced concrete turbine foundations and solar array foundations
- Delivery of the solar array and turbine components to site and unloaded to a location adjacent to the prepared foundations, anticipated to be on land already cleared for agricultural use
- Assembly of solar array and turbine components using cranes installation of underground electrical services between array, turbines, the site substation and the site substation to the network
- Construction of small building to meet the project's operations requirement.
- Some temporary compounds and laydown areas during construction and up to four temporary wind monitoring masts.

Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action.

The Project was designed with consideration of site constraints, other design considerations (e.g. associated with wind farm requirements) and to minimise impacts of native vegetation where possible.

The project has where possible avoided the clearing of native vegetation, by utilising existing clearings within the application area in the siting of turbines and other critical infrastructure. In addition to the adopting of a sensitive design, the following environmental management measures will be adopted prior to and during construction:

- Clearing of native vegetation will be minimised where possible (within the 0.15 ha native vegetation impact)
- Avoiding the clearing of paddock trees that may contain hollows.

Clearing areas for the entire Project will not exceed clearing of up to 0.15 ha total across three locations (approximately 0.1% of the native vegetation within the Project area). Refer to Section 5.1 and Figure 5-5 of Flora and Fauna Assessment (Attachment A8).

The proposed clearing areas **do not contain any Threatened Ecological Communities (TEC)**. The less than 0.15 ha of clearing is in degraded vegetation at three crossing roadside verge locations from highway to site boundary to allow for a 20m wide 'worst case scenario' track (actual access track will likely be 4m wide). The degraded vegetation consists of:

< 0.07 ha of vegetation Unit K (Figure 5-5 of Attachment A8);

< 0.04 ha of vegetation Unit M (Figure 5-5 of Attachment A8); and

< 0.04 ha of vegetation Unit J (Figure 5-5 of Attachment A8).

Note that the recommendations of the Flora and Fauna Assessment (Attachment A8) written in October 2017 recommended a strategy for minimising impacts to TECs;

"Minimise impact at the TEC locations where pruning of trees will currently be required, north of

the substation (617362E 6408104S) and the existing entrance to Lot 16619 off Notting-Karl Garrin Road (621930E 6408104S). This should be possible by aligning the transmission line to avoid most of the large trees north of the substation, and by relocating the easement north by approximately 30m, away from the TEC along the Notting-Karl Garrin Road. If significant pruning is required within the TEC then an Assessment of Significance should be carried out to determine if a significant impact is likely, and therefore the need to refer to DotEE”.

The Project layout (as submitted for planning approval and subsequently approved) incorporated the above recommendations into the current design of the wind and solar farm. Refer to Attachment A1 illustrating the avoidance of TECs in the Development Envelope.

The Project layout will not involve the clearing of any paddock trees or require pruning, therefore minimising the impact on flora and fauna. The Project will avoid all TECs.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved.

The Project has been designed to avoid impacting on the TEC. Impacts to other MNES are considered to be low – Carnaby’s Black Cockatoo and Rainbow Bee-eater. The proponent does not anticipate any adverse environmental outcomes associated with these matters as a result of the Project proceeding.

Section 5 – Conclusion on the likelihood of significant impacts

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

No

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

5.1.9 A water resource, in relation to coal/gas/mining

No

5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action.

The proposed action is unlikely to have a significant impact to TECs as it has been designed to avoid impacts on any TEC. The risk of impacts to other Matters of NES are considered to be low – Carnaby's Black Cockatoo and Rainbow Bee-eater, therefore the proposed action is unlikely to have a significant impact to a matter of national environmental significance. The proposed action is not likely to have a significant impact on a protected matter.

Section 6 – Environmental record of the person proposing to take the action

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Please explain in further detail.

The company directors of Kondinin Energy Pty Ltd have a combined experience of over 35 years in similar projects and have no adverse environmental record in any jurisdiction.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application.

None

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

Yes

6.3.1 If the person taking the action is a corporation, please provide details of the corporation's environmental policy and planning framework.

Kondinin Energy Pty Ltd is a special project company for this Project and currently has no environmental policy and planning framework. However, it has committed to providing a suite of management plans and protocols (refer to Appendix A9 register of Project Commitments) to manage the environmental impact of the construction and operation of the Project.

The construction of the Kondinin Wind and Solar Farm will be undertaken by a contractor with a proven track record in environmental performance on similar projects. As part of the selection process for the site contractor, the contractors will be required to provide details of the corporation's environmental policy and environmental management system.

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

No

Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Kondinin Wind and Solar Farm Level 1 Flora and Fauna Assessment prepared by SW Environmental (11 October 2017)	High	Flora and fauna surveys have been undertaken by suitably qualified personnel. There are always some uncertainties with ecological surveys and the survey limitations are presented in the report.

Section 8 – Proposed alternatives

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

8.0 Provide a description of the feasible alternative?

Kondinin Wind Farm is the focus for a wind and solar energy project for Kondinin Energy. Refer to section 4.1.

8.1 Select the relevant alternatives related to your proposed action.

8.27 Do you have another alternative?

No

Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

9.0 Is the person proposing to take the action an Organisation or an Individual?

Organisation

9.2 Organisation

9.2.1 Job Title

Director

9.2.2 First Name

James

9.2.3 Last Name

Townsend

9.2.4 E-mail

james@lacour.com.au

9.2.5 Postal Address

PO Box 7533

Cloisters Square
Perth WA 6850
Australia

9.2.6 ABN/ACN

ABN

35615594280 - KONDININ ENERGY PTY LTD

9.2.7 Organisation Telephone

(08) 9321 6632

9.2.8 Organisation E-mail

james@lacour.com.au

9.2.9 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Small business

9.2.9.1 You must provide the Date/Income Year that you became a small business entity:

Thu, 10/27/2016

Small Business Declaration

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small a business entity and confirm that I qualify for a small business exemption.

Signature:  Date: 13/12/18

9.2.9.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations

No


9.2.9.3 Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made

Person proposing the action - Declaration

I, JAMES TOWNSEND, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf of or for the benefit of any other person or entity.

Signature:  Date: 13/12/18

I, JAMES TOWNSEND, the person proposing the action, consent to the designation of KONNININ ENERGY PTY LTD as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:  Date: 13/12/18

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Organisation

9.5 Organisation

9.5.1 Job Title

Director

9.5.2 First Name

James

9.5.3 Last Name

Townsend

9.5.4 E-mail

james@lacour.com.au

9.5.5 Postal Address

PO Box 7533

Cloisters Square
Perth WA 6850
Australia

9.5.6 ABN/ACN

ABN

35615594280 - KONDININ ENERGY PTY LTD

9.5.7 Organisation Telephone

(08) 9321 6632

9.5.8 Organisation E-mail

james@lacour.com.au

Proposed designated proponent - Declaration

I, JAMES TOWNSEMP, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this

EPBC Act Referral.

Signature:  Date: 13/12/08

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Director

9.8.2 First Name

James

9.8.3 Last Name

Townsend

9.8.4 E-mail

james@lacour.com.au

9.8.5 Postal Address

PO Box 7533

Cloisters Square
Perth WA 6850
Australia

9.8.6 ABN/ACN

ABN

35615594280 - KONDININ ENERGY PTY LTD

9.8.7 Organisation Telephone

(08) 9321 6632

9.8.8 Organisation E-mail

james@lacour.com.au

Referring Party - Declaration

I, JAMES TOWNSEND, I declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature:  Date: 13/12/18

Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

1. 180918_I.ZIP
2. Attachment A1 Project layout avoiding TEC.pdf
3. Attachment A2 Figure 2 - Project Area.pdf
4. Attachment A3 Figure 3 - Main Infrastructure Locations.pdf
5. Attachment A4 Figure 6 - Wind Farm Envelope (satellite).pdf
6. Attachment A5 Planning Compliance Report.pdf
7. Attachment A6 Development Approval.pdf
8. Attachment A7 EPA DecisiontoNotAssess.pdf
9. Attachment A7 EPA PublicAdvice.pdf
10. Attachment A8 Flora and Fauna Assessment_Part1.pdf
11. Attachment A8 Flora and Fauna Assessment_Part2.pdf
12. Attachment A8 Flora and Fauna Assessment_Part3.pdf
13. Attachment A8 Flora and Fauna Assessment_Part4.pdf
14. Attachment A8 Flora and Fauna Assessment_Part5.pdf
15. Attachment A8 Flora and Fauna Assessment_Part6.pdf
16. Attachment A9 Project Commitments.pdf