



10 August 2022

Assessing Officer  
Native Vegetation Branch  
Department of Water and Environmental Regulation

E | info@dwer.wa.gov.au

Dear Sir/Madam

**RE: Flat Rocks One Wind Farm – Application for a Native Vegetation Clearing Permit under Part V of the *Environmental Protection Act 1986***

**1.0 Background Information**

Enel Green Power are seeking to develop a large-scale wind farm, referred to as Flat Rocks Wind Farm (the Project), within the Shires of Kojonup and Broomehill-Tambellup. The Project initially received development approval in 2011, with amendments made in 2021 to commence construction in 2022.

The Project aims to support the increase in supply of renewable energy in Western Australia and is well aligned with the State's overall objective of developing a cleaner, more diverse, and affordable electricity network (Energy Policy WA, 2021).

Flat Rocks Wind Farm will be developed in two stages, with the current approvals obtained relating to the first stage of the development. Stage 1 will involve the establishment of 18 wind turbines as well as supporting infrastructure such as access roads, electrical cables, laydown yards, and construction facilities.

This letter has been prepared in support of the application for a Native Vegetation Clearing Permit (NVCP) under Section 51E of Part V of the *Environmental Protection Act 1986* (EP Act). Approval for clearing is being sought for clearing associated with wind turbine footprints, access tracks and cable alignment within the Project area (shown in **Attachments 2 and 3**).

Flora and fauna surveys have been completed to characterise environmental values of the area and to inform the project design and mitigation of impacts. The design iteration process has avoided clearing of high environmental value and minimised the clearing of native vegetation as far as practicable. Particular attention has been paid to avoiding the *Eucalypt Woodlands of the Wheatbelt* Threatened Ecological Community and to minimise clearing of remnant vegetation patches, shelterbelts or verge trees providing potential habitat connectivity. Those areas where clearing cannot be avoided have been assessed against the Department's native vegetation clearing principles. This assessment is provided in **Attachment 5**.

The Project has been referred to the Western Australian EPA (ref: A367505) under Part IV of the *Environmental Protection Act 1986* (EP Act), and the EPA determined that the project did not need to be assessed. The project was also referred Commonwealth Department of Agriculture, Water and Environment (DAWE) under the *Environmental Protection and Biodiversity and Conservation Act 1999* (EPBC Act) on the basis of the *Eucalypt Woodlands of the Wheatbelt* Threatened Ecological Community and



the project being within or at the fringes of the potential ranges of listed Cockatoo species (Carnaby's Black Cockatoo, Forrest Red-Tailed Black Cockatoo and Baudin Black Cockatoo). Following referral, the Project was determined as "not a controlled action" by DAWE (ref: 2022/9154).

## 2.0 Permit Application Area

The proposed clearing area where a permit is required is approximately 2.094 ha, within a development footprint of approximately 101.19 ha. Of the total proposed disturbance area of 101.19 ha, 99.1 ha is within completely degraded or cleared areas, or a native vegetation clearing permit is not required as an exemption under regulations applies. Of the 2.094 hectares of vegetation where a clearing permit is required, native vegetation is in degraded to completely degraded condition. Overall, only 2.07% of the project footprint requires clearing where an exemption does not apply. **Attachments 2 and 3** show the proposed clearing sites within the development footprint where a permit is required.

There is approximately 0.552 hectares of clearing proposed for which an exemption under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* apply. These exemptions include clearing for structures (Regulation 5, Item 1), clearing for vehicular access tracks (Regulation 5, Item 12) and clearing for isolated paddock trees (Regulation 5, Item 19).

The flora and vegetation for the Flat Rocks Study Area has been assessed by Mattiske during site surveys in 2011, 2021 and 2022. This included initial surveys of the Study Area, and subsequent assessments of specific areas that are proposed to be cleared as part of this purpose permit application. Supporting reports describing these assessments are provided in **Attachments 6 to 10**.

The details of those land parcels where clearing is proposed and a permit is required, and their current tenure arrangements within the proposed NVCP application area are provided in **Table 2.1**. The landowners of the clearing locations as listed in **Table 2.1** have provided their authority to access and clear native vegetation in the *Authority to access and clear vegetation* letters provided in **Attachment 11** and certificates of title are provided in **Attachment 12**. Note that the clearing locations referenced in the *Authority to access and clear vegetation* letters includes both locations that form part of this clearing permit application and those that are exempt from requiring a clearing permit (e.g. isolated paddock trees).

**Table 2.1 Land parcels containing proposed clearing activities**

Lot / Land ID	Survey Number <sup>1</sup>	Certificate of Title	Owner	Land Parcel Type
Lot 10	P 014464	Volume 1663 Folio 27	[REDACTED]	Freehold
Lot 1943	DP 110745	Volume 2122 Folio 80	[REDACTED]	Freehold
Lot 4168	DP 126280	Volume 1112 Folio 404	[REDACTED]	Freehold
Lot 4788	DP 127649	Volume 1112 Folio 404	[REDACTED]	Freehold
Lot 5979	DP 138658	Volume 1726 Folio 664	[REDACTED]	Freehold
Lot 6854	DP 080143	Volume 1726 Folio 666	[REDACTED]	Freehold
Lot 781	P 100937	Volume 1207 Folio 251	[REDACTED]	Freehold
ID 3270728	N/A	N/A	Shire of Kojonup	P – Road
ID 3270726	N/A	N/A	Shire of Broomehill-Tambellup/Shire of Kojonup	P – Road
ID 3270714	N/A	N/A	Shire of Broomehill-Tambellup	P – Road
ID 3270710	N/A	N/A	Shire of Broomehill-Tambellup	P – Road
ID 3301037	N/A	N/A	Shire of Broomehill-Tambellup	P – Road

<sup>1</sup> Land ID number has been provided for road reserves in place of a lot and survey number.

### 3.0 Assessment against Clearing Principles

Native vegetation clearing in Western Australia is guided by the ten clearing principles outlined by Schedule 5 of the EP Act 1986. In accordance with *A Guide to the Assessment of Applications to Clear Native Vegetation*, DWER will consider through their assessment process whether proposed clearing activities may violate any of these principles.

EGP have undertaken an assessment of the proposed clearing for up to 2.094 ha of native vegetation contained in this application against these clearing principles which is further detailed in Attachment 2.



#### 4.0 Closure

We trust this information meets with your current requirements. Please do not hesitate to contact the NVCP designated point of contact should you require clarification or further information.

Yours sincerely,

Signed by WERTHER ESPOSITO  
*Werther Esposito*  
on 10/08/2022 at 08:26:07 CEST

Werther Esposito  
Company Director

#### Attachments:

Attachment 1: Form 1 – *Application for New Permit to clear native vegetation*

Attachment 2: Context Map

Attachment 3: Clearing Locations Map

Attachment 4: Clearing Locations (Shapefile format), specifying areas that are subject to the permit and those where an exemption applies

Attachment 5: Supporting document – *Assessment against clearing principles*

Attachment 6: Supporting document – *2016 Flora, Vegetation and Fauna Assessment*

Attachment 7: Supporting document – *2022 Flora, Vegetation and Fauna Assessment*

Attachment 8: Supporting document – *2021 Impact Footprint Assessment (Turbines)*

Attachment 9: Supporting document – *2022 Impact Footprint Assessment (Cables)*

Attachment 10: Supporting document – *2022 Impact Footprint Assessment (Tracks)*

Attachment 11: Land Access – *Authority to access and clear native vegetation letters*

Attachment 12: Land ownership – *Certificates of Title (<6 months old)*

## 5.0 References

Energy Policy WA. (2021). *Energy Transformation Strategy Stage 2: 2021-2025*. Government of Western Australia.

Mattiske. (2010). *Flora, Vegetation and Fauna Assessment of the Flat Rocks Wind Farm Survey Area*.

Mattiske. (2016). *Flora, Vegetation and Fauna Assessment of the Flat Rocks Wind Farm Survey Area*.

Mattiske. (2021). *Impact Footprint Assessment (Turbines) - Flat Rocks Wind Farm, Kojonup WA*.

Mattiske. (2022a). *Flora, Vegetation and Fauna Assessment of the Flat Rocks Wind Farm Survey Area*.

Mattiske. (2022b). *Impact Footprint Assessment (Cabling) - Flat Rocks Wind Farm, Kojonup WA*.

Mattiske. (2022c). *Impact Footprint Assessment (Tracks) - Flat Rocks Wind Farm, Kojonup WA*

Moonies Hill Energy (MHE). (2010). *Flat Rocks Wind Farm Development Application: Planning Application Report*.

Moonies Hill Energy (MHE). (2011). *Flat Rocks Wind Farm - Environmental Impact Report*.

Moonies Hill Energy (MHE). (2021). *Development Application Amendment: Application Report*.