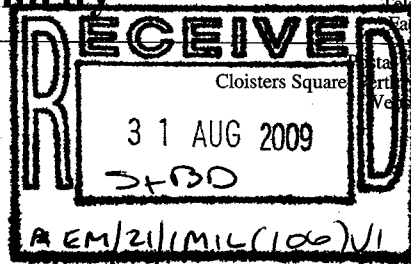




Environmental Protection Authority

The Atrium,
Level 8, 168 St Georges Terrace,
Perth, Western Australia 6000.
Telephone: (08) 6364 6500.
Facsimile: (08) 6467 5557.

Postal Address: Locked Bag 33,
Perth, Western Australia 6850.
Website: www.epa.wa.gov.au



Mr Daniel Thompson
Verve Energy
GPO Box F366
PERTH WA 6841

Your Ref: DMS#3159303
Our Ref: CRN222122 DEC11442
Enquiries: Amy Sgherza, 6467 5424

Dear Mr Thompson

PUBLIC ADVICE

PROPOSAL: MILYEANNUP WIND FARM
LOCATION: LOTS 2, 3, 14, 704, 499 AND 921 SCOTT RIVER EAST
LOCALITY: NANNUP
PROPONENT: VERVE ENERGY
ASSESSMENT: NOT ASSESSED – MANAGED UNDER PART V OF THE EP ACT (CLEARING)

Further to the Environmental Protection Authority's (EPA) letter of 5 August 2009 and Mr Noel Schubert of Verve Energy's email of 24 August 2009 requesting that the public advice be reviewed, please find attached the EPA revised Public Advice with respect to this proposal.

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- a. Native vegetation
- b. Fauna
- c. Noise

2. Advice and Recommendations regarding Environmental Issues

a. Native vegetation

In regards to the proposal as described in the document *Milyeannup Wind Farm – Environmental Impact Assessment* (GHD & Biota Environmental Services, 2009) which includes up to 30 wind turbines and a maximum clearing of 24 hectares post rehabilitation, the following advice and recommendations regarding environmental issues is provided.

It is noted that the 14 kilometres of overhead transmission line which will run from the proposed substation within the subject site, and along Milyeannup Coast Road to join the existing 132,000 volt network, will be the subject of a separate proposal.

Clearing

The EPA notes that the proposal involves the clearing of native vegetation and recommends that, where possible, existing tracks should be utilized to furnish the wind turbines and proposed access roads and infrastructure.

Please visit the Department of Environment and Conservation's (DEC) website at the following web address <http://www.environment.wa.gov.au> for information on the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* and the procedures in relation to applying for a Clearing Permit. The DEC will make a decision to grant or refuse a permit. The decision of the EPA to not assess your proposal carries no presumption about the outcome of an application for a Clearing Permit.

It should be noted that clearing cannot be undertaken until the clearing permit application process is concluded.

Flora and Vegetation Communities

A field investigation of Declared Rare and Priority Species and Threatened Ecological Communities, should be undertaken during the flowering season, in conjunction with a search of the DEC's database prior to any commencement of site works. If identified on the property the location of the wind turbines should be modified to avoid disturbance of these species.

The plant community (EmEmeCcaBAaBOIHlf) that supports *Eucalyptus cornuta* may be very restricted in the local context. Impacts from the proposal on this community should be mitigated.

The vegetation complex D5 as mapped by Mattiske and Havel (1998) should be identified and retained as it is under reserved with less than 10% currently in secure reservation. The location of the wind turbines and associated infrastructure should be modified, where possible, to ensure this vegetation is protected.

Erosion

All coastline vegetation should be retained and clearing of any vegetation within 500m of the coastline should be avoided. The vegetation complex D'Entrecasteaux 5 (De5) as mapped by Mattiske and Havel (1998) is identified along the coastline on the subject site. This vegetation complex carries a "severe" to "extreme" wind erosion hazard if vegetation is cleared. A foreshore management boundary should be determined based upon land capability and criteria and where practicable, wind turbines should be located to avoid vegetation susceptible to erosion. It may be that a suitable foreshore boundary would be set back further than 500 metres, to avoid clearing this vegetation, depending upon the assessment.

Management Plans

Due to the presence of the Dieback (*Phytophthora cinnamomi*) susceptible species *Dryandra sessilis* ssp. *Cordata* on site, a dieback disease risk assessment needs to be undertaken and a dieback hygiene plan should be implemented to manage the risk of dieback introduction and spread, both for the construction phase and the on-going management access. This will be best achieved through the development of a Dieback Management Plan prepared and implemented on advice of the DEC.

A Rehabilitation Plan for the post-construction phase of the project should be prepared and implemented on advice of the DEC.

A Weed Management Plan should also be prepared and implemented on advice of the DEC to ensure that the spread of environmental and declared weeds throughout the site and adjacent Reserves is minimized.

b. Threatened (Priority) Fauna

Western Ringtail Possums (*Pseudocheirus occidentalis*), Baudin's and Black Cockatoos are known to exist on the site, and should be protected pursuant to the *Wildlife Conservation Act 1950*. Existing tracks should be utilized to avoid clearing significant habitat areas.

The proponent should be aware of their responsibilities under the *Environmental Protection and Biodiversity Conservation Act 1999*.

All Peppermint trees (*Agonis flexuosa*) should be retained and where this is not possible an environmental consultant with appropriate expertise or an officer from the DEC should be on hand prior to clearing of vegetation to relocate any Western Ringtail Possums. In addition to this, a Western Ringtail Possum Management Plan should be prepared and incorporated on advice of the DEC. This should include, but not be limited to, DEC South West Region protocols being followed during the construction phase on the days that vegetation clearing is to take place. That is, a 'possum spotter' should be on site to guide machine operators in best Western Ringtail Possum management practices and to deal with any injured or derelict animals that can not be relocated on site.

In addition to the proponents proposed fauna management actions, the following actions should also be incorporated:

- The construction workforce briefing should include information on the protection of reptiles/snakes and the banning of pet dogs from the site.
- Rehabilitation plans for Peppermint trees (and WRP habitat) should include pre-disturbance documentation of existing habitat parameters, such as, percentage canopy cover, stand density and detailed documentation of the structure of the habitat, so that appropriate completion criteria can be established and rehabilitation progress evaluated.
- A bird strike monitoring program should be developed and implemented, which includes, details as to the design and implementation of the monitoring program, or amelioration strategies should the consequences of bird strike be deemed unacceptable for species conservation.
- A predator baiting program should be developed in consultation with the DEC.

c. Noise

The operation of the wind turbines will produce noise in excess of 35dB(A) at times, however, it is understood that all affected landowners will enter into a lease agreement which will outline this. In addition to this it is recommended that the owner of Lot 1 also be included in the lease agreement as any future proposed residences on this site will be within the 35-40dB(A) noise contour. Any future proposed development of Lot 1 should be restricted to within the 35-40dB(A) noise contour.

The proponent should demonstrate the practicability of the use of the noise reduction mode proposed to be used overnight and develop a procedure for their wind turbine operations.

It is also recommended that the proponent work together with neighbouring landowners and the Shire of Nannup to develop a Special Use (Wind Farm) zone over the project area, to restrict any future residential development within the 35dB(A) noise contour on surrounding land.

The EPA expects the relevant decision-making authorities to consider and implement this advice through the approvals process. If you have any enquiries, please contact the person cited above.

Yours sincerely

Colin Murray
Colin Murray
Director
Environmental Impact Assessment

25 August 2009

CC: Shire of Nannup