

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

**Proposal title:** Turner River Solar Hub

**Proposal description:** Construction and operation of a renewable energy solar generation hub to power Fortescue mining operations in the Pilbara region. The Proposal comprises the installation of solar panels and substation with an estimated total capacity of 644 MW and 220 kV transmission line spurs connecting the Proposal to Fortescue's existing Pilbara Energy Connect transmission system.

**Proposal location:** Approximately 120 km south of Port Hedland

**EO number:** APP-0027791

**Date referral received:** 05-03-2025

**Date more information received:** N/A

**Referrer:** Pilbara Energy (Generation) Pty Ltd **Proponent:** Pilbara Energy (Generation) Pty Ltd

### Potential significant effects:

There are potential impacts on: flora and vegetation and terrestrial fauna from the clearing of native vegetation, and social surroundings from indirect impacts to Aboriginal heritage sites such as construction related noise, dust and amenity.

### Preliminary key environmental factors:

Flora and vegetation, terrestrial fauna, social surroundings.

### Public comment on referral information:

Do not assess:	0
Assess: a) Referral information	0
b) Environmental review - no public review	1
c) Public environmental review	4
<i>Total submissions:</i>	5

**Decision:** s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the *Environmental Protection Act 1986* (EP Act) – Advice given.

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

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

- The EPA considers the likely environmental effects of the proposal, after taking into account the mitigating effects of other statutory decision-making processes, are not so significant as to warrant formal assessment under Part IV of the EP Act;
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document dated 1 March 2025 and implementing the mitigation measures detailed in the Turner River Solar Hub Environmental Review Document (March 2025). Changes to expected implementation content and/or management which are likely to result in significant environmental effects have not been considered as part of the decision for this proposal and may result in a new referral being required for that different proposal;

- Vegetation types within the proposal area are typical and widespread in the region and there are no threatened flora, or threatened or priority ecological communities within the development envelope;
- The proponent has modified the proposal to avoid impacts to the majority of priority flora species identified in the development envelope, and has minimised impacts to the priority flora species, that are known to extend outside of the proposal area.
- The proponent intends to offset residual impacts associated with clearing of vegetation and important fauna habitat through monetary contributions under the Pilbara Environmental Offsets Fund (PEOF). Conditions requiring contributions to the PEOF are expected to be considered through the granting of a clearing permit under Part V Division 2 (Clearing) of the EP Act.
- The proponent has modified the proposal to avoid direct impacts to Northern Quoll (*Dasyurus hallucatus*) (EN), Greater Bilby (*Macrotis lagotis*) (VU), the Pilbara Leaf-nose Bat (*Rhynonictis aurantia*) (VU) and Ghost Bat (*Macroderma gigas*) (VU), and has proposed measures (including avoidance of critical habitat and retention of 100-metre buffers between development footprint and Turner River, Turner River West and significant tributaries) to minimise direct and indirect impacts to these species and their important habitat. The EPA notes that the proponent will be required to obtain authorisation under s40 of the *Biodiversity Conservation Act 2016* (BC Act) to take or disturb threatened fauna, which may require mitigation measures such as avoidance of critical habitat.
- The EPA considered the potential contamination, noise, dust and vibration associated with construction of the proposal. The EPA considers that the statutory requirement under the *Planning and Development Act 2005* (PD Act) and Part V Division 3 of the EP Act are likely to adequately address the impacts to the amenity of the local landscape during construction.
- The EPA notes that Aboriginal cultural heritage surveys ensured that direct impacts to archaeological and ethnographic Aboriginal cultural heritage values could be avoided through proposal design.
- No significant impacts to Aboriginal heritage sites or values are expected as a result of the proposal, and the environmental outcome of the proposal is likely to be consistent with the EPA's objective for social surroundings.
- The EPA also notes that the proponent has engaged Kariyarra Aboriginal Corporation, and provided them with an opportunity to comment on the proposal. No advice was received. The EPA expects that the proponent will undertake ongoing consultation with the Kariyarra Aboriginal Corporation as part of the statutory processes required prior to implementation and that the Kariyarra Aboriginal Corporation will have an opportunity to comment on the proposal through the clearing permit process under Part V Division 2 (Clearing) of the EP Act and development approval (DA) process under the PD Act.
- The EPA considered the cumulative impacts of the proposal with other activities in the Pilbara region. The EPA concluded that the relatively low proportionate impacts on flora and vegetation and habitat for terrestrial fauna from the proposal are unlikely to contribute to cumulative impacts which undermine achievement of EPA objectives.

- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.

### **Material information considered by the EPA in this decision**

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

- The proponent's referral and referral supporting documentation, including Environmental Review Document (March 2025) and Appendices A to H, as published on the EPA's website
- Proponent's response to public submissions dated 15 April 2025; and
- EP Act s 3, s 4, Part IV, Admin Procedures, EPA factor and technical guidance.

### **Public advice**

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 EPA notes that impacts associated with the clearing of native vegetation for the proposal, including suitable habitat for threatened fauna species, can be regulated under Part V Division 2 of the EP Act (administered by the Department of Water and Environmental Regulation);
- Ministerial Authorisation is likely required under section 40 of the BC Act to take or disturb threatened fauna, including the proposed retention of 100-metre buffers of Turner River, Turner River West and significant tributaries. The EPA expects that conditions will be applied to this authorisation as appropriate for the purpose of mitigating or offsetting the impact, as outlined under section 41 of the BC Act;
- The EPA expects that the works approval and licensing process under Part V Division 3 of the EP Act process can manage potential impacts to the environment associated with emissions from the construction and operation of concrete batching plants;
- The EPA notes that the proposal will require a DA under the PD Act and will likely be subject to approval by the Regional Joint Development Assessment Panel. The EPA expects that the DA will include environmental outcomes consistent with the achievement of the EPA's objectives for relevant environmental factors. The DA process should ensure that the proposal is designed in such a way that minimises the environmental impacts, including the potential impacts on fauna from collisions with solar farm infrastructure, based on consultation with Kariyarra Aboriginal Corporation.

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



**Mr. Darren Walsh**

CHAIR

Delegate of the Environmental Protection Authority

**Date:** 23 May 2025