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Published on: 15 October 2020

Statement No. 1153

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

ASIAN RENEWABLE ENERGY HUB

**Proposal:** The proposal is to construct and operate a large-scale wind and solar renewable energy project at a site approximately 220 km east of Port Hedland and 270 km southwest of Broome, in the northwest of Western Australia.

**Proponent:** NW Interconnected Power Pty Ltd  
Australian Company Number 606 603 874

**Proponent Address:** Level 2, 139 Frome Street  
Adelaide SA 5000

**Assessment Number:** 2140

**Report of the Environmental Protection Authority:** 1673

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

**1 Proposal Implementation**

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

**2 Contact Details**

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

### **3 Time Limit for Proposal Implementation**

- 3-1 The proponent shall not commence implementation of the proposal after eight (8) years from the date of this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before eight (8) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of eight (8) years from the date of this Statement.

### **4 Compliance Reporting**

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
  - (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

## **5 Public Availability of Data**

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information,

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

## **6 Fire Management – Staged Fire Management Plan (Terrestrial Fauna and Flora and Vegetation)**

6-1 The proponent shall prepare a Staged Fire Management Plan to demonstrate the following environmental objective will be met:

- (1) avoid and minimise proposal-related impacts to the bilby and the black-footed rock-wallaby in the development envelope defined in Schedule 1.

6-2 The initial Staged Fire Management Plan will apply to the first stage of the proposal and shall:

- (1) include a map showing the first stage of the proposal to be implemented and the areas to receive prescribed burns prior to construction;
  - (2) specify measures and actions to ensure prescribed burning activities passively relocate bilby away from areas of scheduled construction activities and meet the objective in condition 6-1;
  - (3) specify the monitoring parameters and procedures that will be used to determine the baseline state prior to prescribed burning for weeds, vegetation composition and fire age (time-since-burnt); and feral animal, bilby and black-footed rock-wallaby abundance, distribution and habitat;
  - (4) specify the monitoring parameters and procedures that will be used for post-burn surveys for those values identified in condition 6-2(3);
  - (5) show evidence of any third-party input received including from Nyangumarta Traditional Owners and surrounding land users, including how that input was addressed;
  - (6) provide the format and timing for the reporting of baseline and post-burn surveys to demonstrate compliance with the objective in condition 6-1; and
  - (7) demonstrate adaptive management by providing options for ongoing management actions and measures.
- 6-3 The proponent shall submit to the CEO the initial Staged Fire Management Plan on advice of the Department of Biodiversity, Conservation and Attractions at least thirty-six (36) months prior to commencement of construction activities, and shall not commence any prescribed burns in the first stage of the proposal until the CEO has confirmed in writing that the initial Staged Fire Management Plan satisfies the requirements of condition 6-2.
- 6-4 The proponent shall implement the initial Staged Fire Management Plan approved in writing by the CEO.
- 6-5 At least twelve (12) months prior to commencement of construction activities in the remaining stages of the proposal the proponent shall revise and update the Staged Fire Management Plan that is to apply to the remaining stages of the proposal and demonstrate the environmental objective in condition 6-1 will be met.
- 6-6 The revised and updated Staged Fire Management Plan shall:
- (1) discuss how monitoring results and learnings from the implementation of the initial Staged Fire Management Plan will be applied to the remaining stages of the proposal;

- (2) include maps defining the implementation stages of the proposal, and detail how fire history mapping will be undertaken and documented for the life of the proposal;
- (3) demonstrate how pre-construction and operational prescribed burning will be implemented and staged in the development envelope to create a mosaic of diverse fire age habitats beneficial for bilby;
- (4) detail pre- and post-burn monitoring parameters of weeds, vegetation composition and time-since-burnt; and feral animals, bilby and black-footed rock-wallaby abundance, distribution and habitat;
- (5) include a program of ongoing consultation with Nyangumarta Traditional Owners and surrounding land users;
- (6) specify **management actions; management targets**; monitoring locations, methodologies, parameters and timing; and reporting to demonstrate compliance with the objective in condition 6-1; and
- (7) specify a process and timeline to show adaptive management and for revision of management actions and targets, and updates to the plan in the event targets are not being met.

6-7 The proponent:

- (1) shall not commence implementation of the revised Staged Fire Management Plan, until the CEO has confirmed in writing that the revised Staged Fire Management Plan satisfies the requirements of condition 6-6;
- (2) may review and revise the Staged Fire Management Plan, with any changes to management actions and/or targets of the Fire Management Plan to be approved by the CEO in writing;
- (3) shall review and revise the Staged Fire Management Plan as and when directed by the CEO by a notice in writing; and
- (4) shall implement the latest revision of the Staged Fire Management Plan approved by the CEO.

6-8 The proponent shall continue to implement the Staged Fire Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 6-1 has been met.

6-9 Where monitoring or investigations indicate a failure to meet or implement management action(s) or management target(s) detailed in the approved Staged Fire Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures

outlined in the approved Staged Fire Management Plan, including, but not limited to, actions and investigations to be undertaken.

6-10 The proponent shall prepare and submit a Staged Fire Management Plan Performance Report to the CEO within five (5) years of commencing prescribed burns and every five (5) years thereafter, until the proponent can demonstrate that the objective of condition 6-1 will continue to be achieved, or unless otherwise agreed by the CEO.

6-11 The Staged Fire Management Plan Performance Report shall include the following:

- (1) an independent review of the implementation and effectiveness of the measures and actions in the Staged Fire Management Plan against the objective of condition 6-1 by an independent fire ecologist expert approved by the CEO in writing;
- (2) results of the monitoring undertaken and an analysis of gathered ecological information, in particular demonstrating the creation and maintenance of a mosaic of differing fire ages within each stage; and
- (3) how monitoring and learnings from the implementation of the Staged Fire Management Plan will be applied to the remaining construction stages and operational life of the proposal.

## **7 Environmental Management (Terrestrial Fauna, Flora and Vegetation and Social Surroundings)**

7-1 The proponent must ensure the following environmental objectives are achieved when implementing and operating the terrestrial components of the proposal:

### *Conservation Reserves*

- (1) avoid and minimise direct and indirect impacts on the environmental values of reserves managed under the *Conservation and Land Management Act 1984*, including the Kujungurru-Warrarn Nature Reserve;

### *Flora and Vegetation*

- (2) no direct impacts and minimise indirect impacts to Threatened and Priority 1 flora species and minimise direct and indirect impacts on any other Priority flora species and Threatened and Priority ecological communities within the development envelope;
- (3) minimise and manage the introduction, establishment and spread of weeds throughout the development envelope;

### *Terrestrial Fauna*

- (4) minimise impacts on Threatened, Migratory and/or Priority listed fauna from interactions with operational wind turbines and associated infrastructure (including distribution and transmission cables);
  - (5) minimise turbine collision impacts on fire attracted raptor species when undertaking prescribed burns;
  - (6) no cable construction activities in beach and intertidal dune habitat during peak avifauna activity periods at Eighty Mile Beach;
  - (7) reduce predation risk to Threatened and Priority listed fauna from feral predators within the development envelope;
  - (8) no direct or indirect loss of confirmed black-footed rock-wallaby habitat by prohibiting any clearing of vegetation or location of proposal infrastructure within the one (1) km buffer area(s) shown in Figure 4;
  - (9) no direct or indirect loss of confirmed black-footed rock-wallaby habitat attributable to the proposal by ensuring a one (1) km buffer zone is implemented around any rock pile habitat that is identified as having black-footed rock-wallaby prior to prescribed burning and construction activities in each stage commencing; and
  - (10) maintain viability of populations of black-footed rock-wallaby and bilby in the development envelope from activities attributable to the implementation of the proposal.
- 7-2 To achieve the objectives in condition 7-1, the proponent shall review, revise and submit to the CEO an updated Asian Renewable Energy Hub Environmental Management Plan (February 2020, Rev 0) at least twelve (12) months prior to commencing ground disturbing activities.
- 7-3 The revised Asian Renewable Energy Hub Environmental Management Plan shall:
- (1) detail industry best-practice bird detection and monitoring systems that will be implemented during operations of wind turbines;
  - (2) outline protocols to shut down the operation of specific turbines in advance if significant flocks of birds are detected and predicted to fly through turbines;
  - (3) include provisions to monitor and record any avifauna impacts from operation of the wind turbines and associated transmission infrastructure;

- (4) include technically and practically feasible contingency measures to be implemented in the case where management targets relevant to avifauna mortality from operation of the turbines are not met;
- (5) detail the realignment of the Nyangumarta Highway to avoid active black-footed rock-wallaby habitat and include a timeframe for its planned commencement and completion;
- (6) details of targeted surveys for Threatened Flora species and Priority Flora species to be undertaken prior to clearing activities occurring in each stage;
- (7) details of weed management, hygiene and monitoring;
- (8) details of rehabilitation timing and completion criteria of temporary disturbed areas, including areas within the Eighty Mile Beach Marine Park and Kujungurru-Warrarn Nature Reserve;
- (9) be prepared on the advice of the Department of Biodiversity, Conservation and Attractions and relevant Traditional owner groups; and
- (10) specify **management actions**; **management targets**; monitoring locations, methodologies, parameters and timing; and reporting to demonstrate that the objectives in condition 7-1 will be met.

7-4 The proponent:

- (1) may review and revise the Asian Renewable Energy Hub Environmental Management Plan; or
- (2) shall review and revise the Asian Renewable Energy Hub Environmental Management Plan as and when directed by the CEO by a notice in writing.

7-5 The proponent shall implement the latest revision of the Asian Renewable Energy Hub Environmental Management Plan approved by the CEO.

7-6 The proponent shall not commence ground disturbing activities until the CEO has confirmed in writing that the Asian Renewable Energy Hub Environmental Management Plan satisfies the requirements of conditions 7-1 and 7-3.

7-7 The proponent shall continue to implement the Asian Renewable Energy Hub Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objectives in condition 7-1 have been met.

7-8 Where monitoring or investigations indicate a failure to meet or implement management action(s) or management target(s) detailed in the approved Asian Renewable Energy Hub Environmental Management Plan, the proponent shall

meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures outlined in the approved Environmental Management Plan, including, but not limited to, actions and investigations to be undertaken.

## **8 Infrastructure Staging and Layout**

8-1 At least three (3) months prior to commencement of construction activities in each stage of the proposal, the proponent shall prepare and submit an Infrastructure Staging and Layout Report to the CEO. The report is to include:

- (1) a figure showing boundaries of the stages of the proposal;
- (2) maps and spatial data showing the location, alignment, spacing and height (where relevant) of the physical elements in Table 2 of Schedule 1 to be constructed in the upcoming stage of the proposal, and for each constructed stage of the proposal;
- (3) location(s) of areas to be avoided in the upcoming stage including any black-footed rock-wallaby habitat (and the associated one (1) km buffer) and Threatened and Priority 1 Flora species as required by condition 7-1;
- (4) a table with estimates of the disturbance footprint for the upcoming stage; and
- (5) a table with a calculation of the cumulative disturbance footprint to date, combined with estimates of future disturbance to ensure the proposal is implemented consistent with the authorised extent in Table 2 of Schedule 1.

## **9 Environmental Management (Marine Environmental Quality and Marine Fauna)**

9-1 The proponent must ensure the following environmental objective is achieved when constructing, operating, maintaining or decommissioning the marine components of the proposal:

- (1) minimise direct and indirect impacts on the environmental values of marine parks, and their adjacent coastal areas, managed under the *Conservation and Land Management Act 1984*, including the Eighty Mile Beach Marine Park.

9-2 To achieve the objective in condition 9-1, the proponent shall prepare and submit to the CEO a Marine Environment Management Plan at least six (6) months prior to commencing dune, beach, intertidal or subsea ground disturbing activities. The Marine Environment Management Plan shall:

- (1) identify the relevant environmental values of the Eighty Mile Beach Marine Park that are likely to be impacted by the proposal;

- (2) detail management and mitigation measures to protect the environmental values of the Eighty Mile Beach Marine Park and adjacent coastal areas during construction, operation, maintenance and decommissioning of marine components of the proposal including specific measures to:
  - (a) minimise turbidity generation;
  - (b) ensure that sediment and water quality is sampled prior to construction activities and is monitored during operations and decommissioning;
  - (c) ensure that no spillage of hydrocarbons or waste material, or release of sediment contaminants, that have the potential to deteriorate water quality occurs;
  - (d) ensure the cable anode is not located in the Eighty Mile Beach Marine Park and State Waters to avoid the potential impacts from hypochlorous acid production;
  - (e) ensure a qualified marine fauna observer will maintain a marine mammal **Observation Zone** and a **Cease Work Zone** during any subsea cable activities;
  - (f) ensure cable installation activities in dune and beach habitat or subsea cable construction activities are not undertaken during peak turtle nesting and hatching season (1 November – 31 March in any year);
  - (g) ensure subsea cable construction activities in the **Intertidal Zone** are not undertaken during sawfish pupping season (1 January – 31 May in any year); and
  - (h) ensure the HVDC cables are buried to a minimum depth of five (5) metres below seabed level, including through coastal areas of turtle nesting habitat, unless otherwise approved by the CEO.
- (3) detail electromagnetic-field and cable heat dissipation threshold levels for marine fauna, particularly electrically sensitive marine fauna;
- (4) include electromagnetic-field and heat dissipation modelling results of the HVDC cables to be implemented and compare the results to threshold levels;
- (5) detail adequate cable shielding specifications, and other electromagnetic-field and cable heat dissipation mitigation measures where relevant;

- (6) detail operational electromagnetic-field and heat dissipation verification monitoring and include management actions to be implemented in the event levels are higher than predicted;
- (7) be prepared on the advice of the Department of Biodiversity, Conservation and Attractions and the Department of Primary Industries and Regional Development;
- (8) specify **management actions**; **management targets**; monitoring locations, methodologies, parameters and timing; and reporting to demonstrate that the measures in condition 9-2 will ensure the objective in condition 9-1 will be met; and
- (9) show evidence of consultation and any input received from the Pearl Producers Association, including how that input was addressed.

9-3 The proponent:

- (1) may review and revise the Marine Environment Management Plan; or
- (2) shall review and revise the Marine Environment Management Plan as and when directed by the CEO by a notice in writing.

9-4 The proponent shall implement the latest revision of the Marine Environment Management Plan approved by the CEO.

9-5 The proponent shall not commence ground disturbing activities in coastal or marine environments until the CEO has confirmed in writing that the Marine Environment Management Plan satisfies the requirements of conditions 9-1 and 9-2.

9-6 The proponent shall continue to implement the Marine Environment Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 9-1 has been met.

9-7 Where monitoring or investigations indicate a failure to meet or implement management action(s) or management target(s) detailed in the approved Marine Environment Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures outlined in the approved Environmental Management Plan, including, but not limited to, actions and investigations to be undertaken.

## **10 Decommissioning and Rehabilitation**

10-1 At least five (5) years prior to the forecasted completion of the operational phase of the proposal the proponent shall prepare and submit a Decommissioning and Rehabilitation Plan to the CEO, on advice of the Department of Biodiversity, Conservation and Attractions and the Department of Planning, Lands and Heritage, to meet the following objective:

- (1) ensure the proposal is decommissioned and rehabilitated in an ecologically sustainable manner.
- 10-2 The proponent is to include an update on the forecasted completion of the operational phase and decommissioning of the proposal in each Compliance Assessment Report required by condition 4-6.
- 10-3 The proponent:
- (1) may review and revise the Decommissioning and Rehabilitation Plan;
  - (2) shall review and revise the Decommissioning and Rehabilitation Plan as and when directed by the CEO by a notice in writing; and
  - (3) shall implement the latest revision of the Decommissioning and Rehabilitation Plan approved by the CEO.

[signed on 15 October 2020]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**

**Table 1: Summary of the proposal**

<b>Proposal title</b>	Asian Renewable Energy Hub
<b>Short description</b>	<p>Proposal is to construct and operate a large-scale wind and solar renewable energy project at a site approximately 220 km east of Port Hedland and 270 km southwest of Broome, in the northwest of Western Australia.</p> <p>The onshore terrestrial components of the project will comprise a series of linear arrays of wind turbines and solar panels, with an above and below ground transmission cable corridor to the coast. The offshore marine component of the proposal comprises inert subsea power cables, with the marine component of the proposal only extending to the limit of state waters.</p>

**Table 2: Location and authorised extent of physical and operational elements**

<b>Column 1 Element</b>	<b>Column 2 Location</b>	<b>Column 3 Authorised Extent</b>
Terrestrial Components		
<p>Wind turbines and hardstands (up to 1,743 individual turbines).</p> <p>Photovoltaic solar arrays and associated electrical infrastructure.</p> <p>HVDC Converter Station.</p> <p>Overhead transmission lines (including associated tracks and pylons).</p> <p>Overhead distribution cable.</p> <p>Site access tracks.</p> <p>Substations.</p> <p>Control compound, warehouse and accommodation.</p>	Figure 2	<p>Total permanent vegetation clearing of no more than 11,962 ha including no more than 0.2 ha of the Eighty Mile Beach Land System Priority Ecological Community.</p> <p>Wind turbines are to have approximately 800 m individual separation distance (linearly) and approximately 4 km separation distance between rows.</p>

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Construction laydown areas. Buried transmission cable section.	-  Figure 2 and 3	Total temporary vegetation clearing of no more than 613 ha including no more than 592 ha for construction laydown areas and 21 ha buried transmission cable section.  Buried transmission cable is to be approximately 14 km in length from the Great Northern Highway to the Coast.
Marine components		
Offshore subsea transmission cables (4x 800kV HVDC cables)	Figure 3	No more than 15.3 ha seabed disturbance within the defined cable corridor.
Terrestrial and marine components combined		
Total development envelope	Figure 2	No more than 662,400 ha.

**Table 3: Abbreviations and Definitions**

Acronym or Abbreviation	Definition or Term
Cease Work Zone	A 100 m circular zone around subsea cable construction activities, where should the marine fauna observer sight a marine mammal, then cable construction activities shall cease until that mammal has moved more than 100 m away. The marine fauna observer must log all marine mammals and marine mammal behaviour within this 100 m zone that could be interpreted as display of disturbance or distress.
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Development envelope	The area within the yellow line marked in Figure 1.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
ha	Hectare
HVDC	High Voltage Direct Current
Intertidal Zone	The area of the marine shoreline that is exposed to air at the lowest astronomical tide, and covered with seawater at the highest astronomical tide.
km	Kilometre
m	metres
Management actions	As defined in the EPA's <i>Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans</i> .
Management targets	As defined in the EPA's <i>Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans</i> .

Acronym or Abbreviation	Definition or Term
Observation Zone	A 300 m circular zone around subsea cable construction activities within which the marine fauna observer must watch for and log all marine mammals and marine mammal behaviour that could be interpreted as display of disturbance or distress.
Priority Flora species	Plant taxa listed by the Department of Biodiversity, Conservation and Attractions as Priority flora species.
Threatened flora species	Plant taxa listed as a threatened species in accordance with the <i>Biodiversity Conservation Act 2016</i> .
Weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on a National Weeds List and any weeds listed on DBCA's Pilbara or Kimberley Impact and Invasiveness Ratings list as amended or replaced from time to time.

### Figures (attached)

Figure 1: Regional location

Figure 2: Asian Renewable Energy Hub development envelope and indicative infrastructure layout with proposal elements

Figure 3: Coastal and offshore cable route

Figure 4: 1 km buffers for confirmed black-footed rock-wallaby rock pile habitat

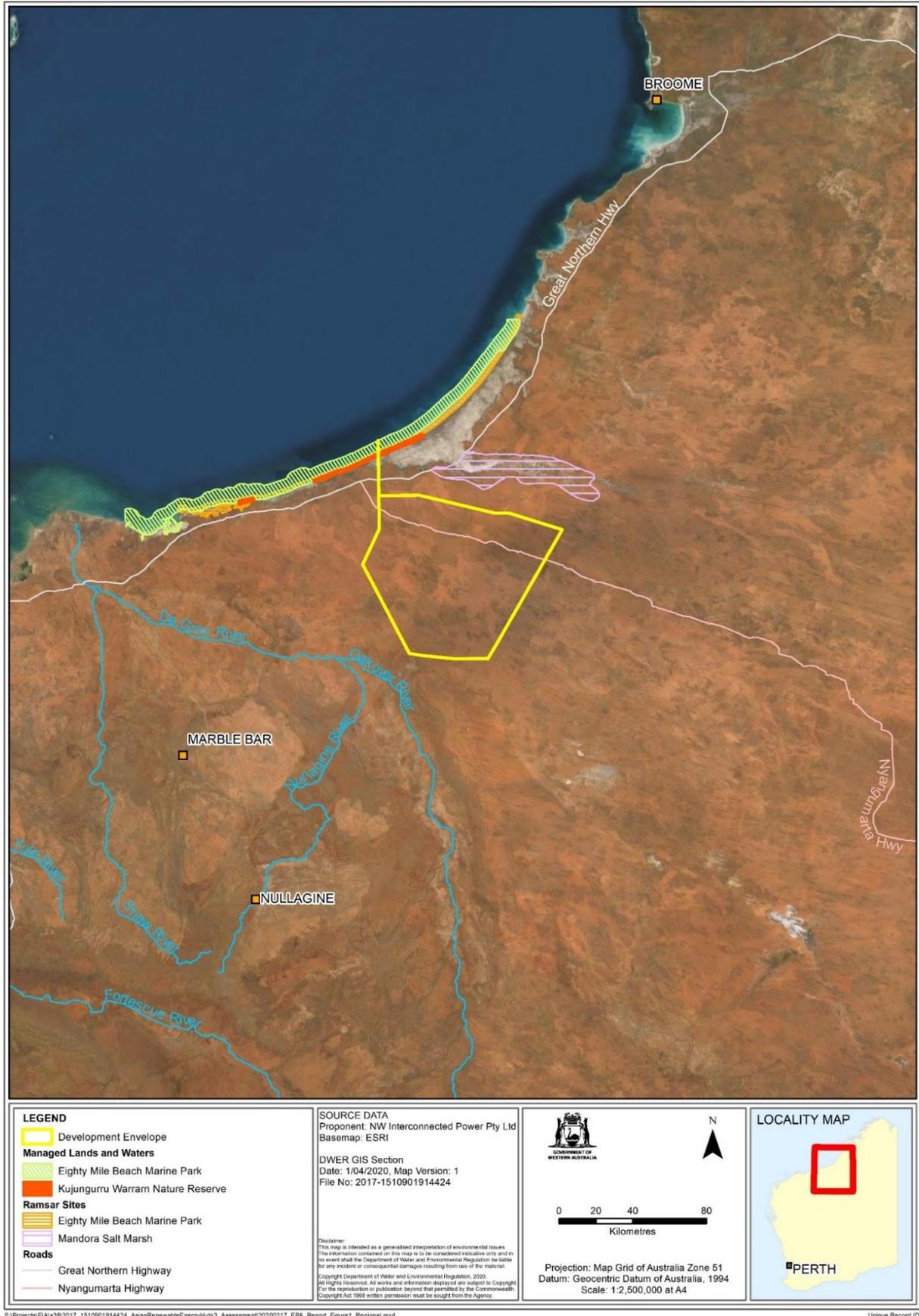
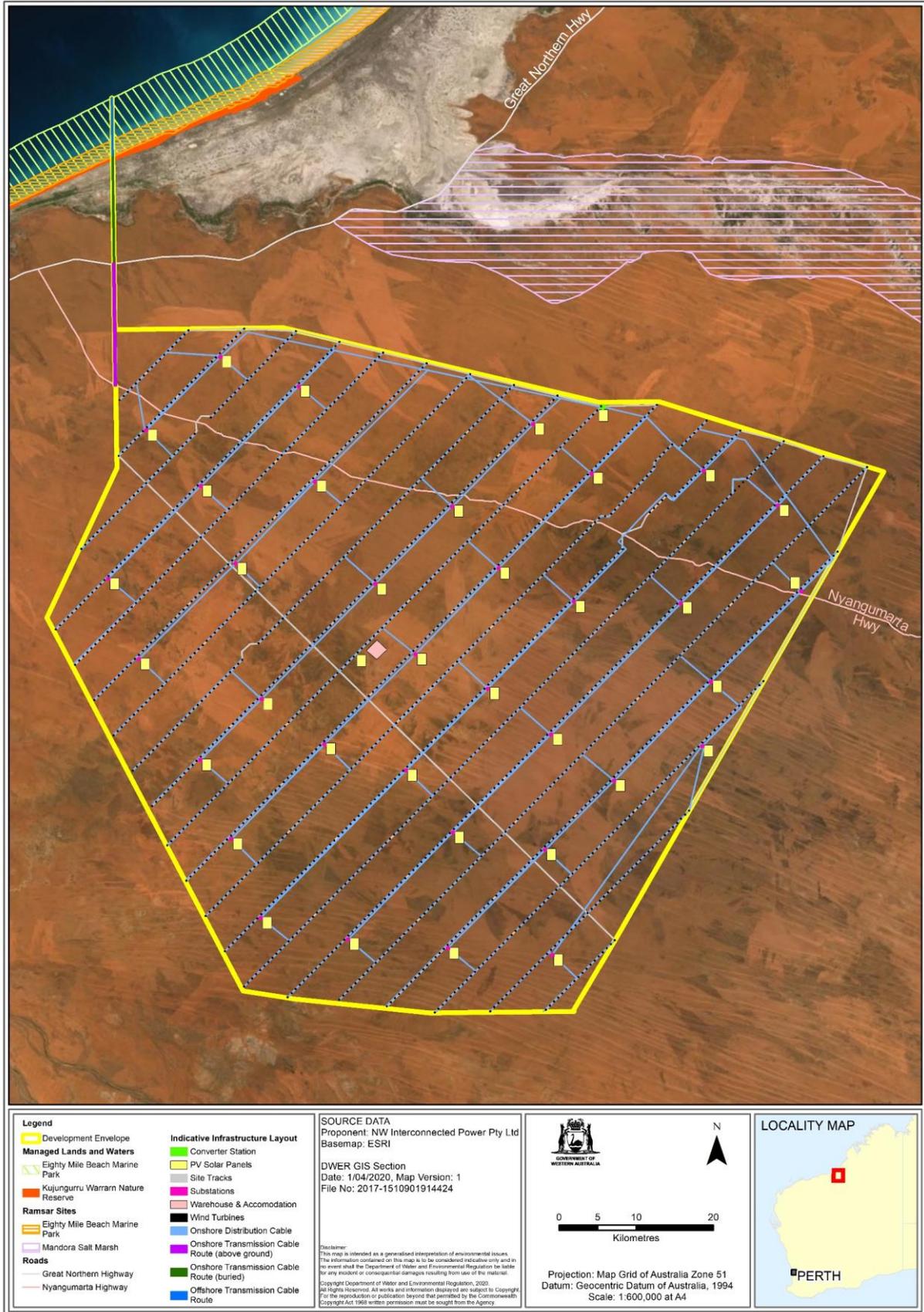
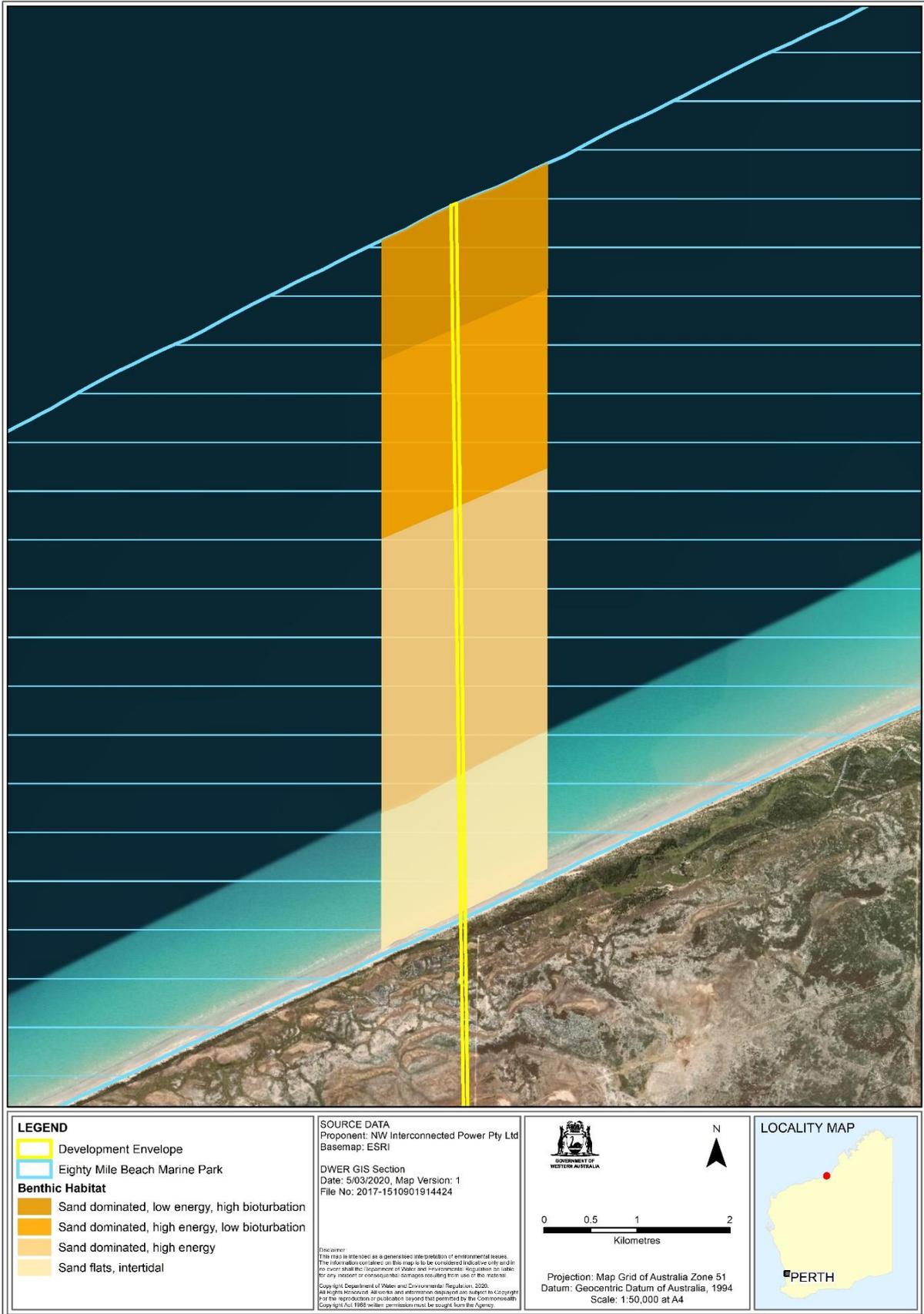


Figure 1: Regional location



**Figure 2: Asian Renewable Energy Hub development envelope and indicative infrastructure layout with proposal elements**



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Unique Record ID:

**Figure 3: Indicative coastal and offshore cable route**

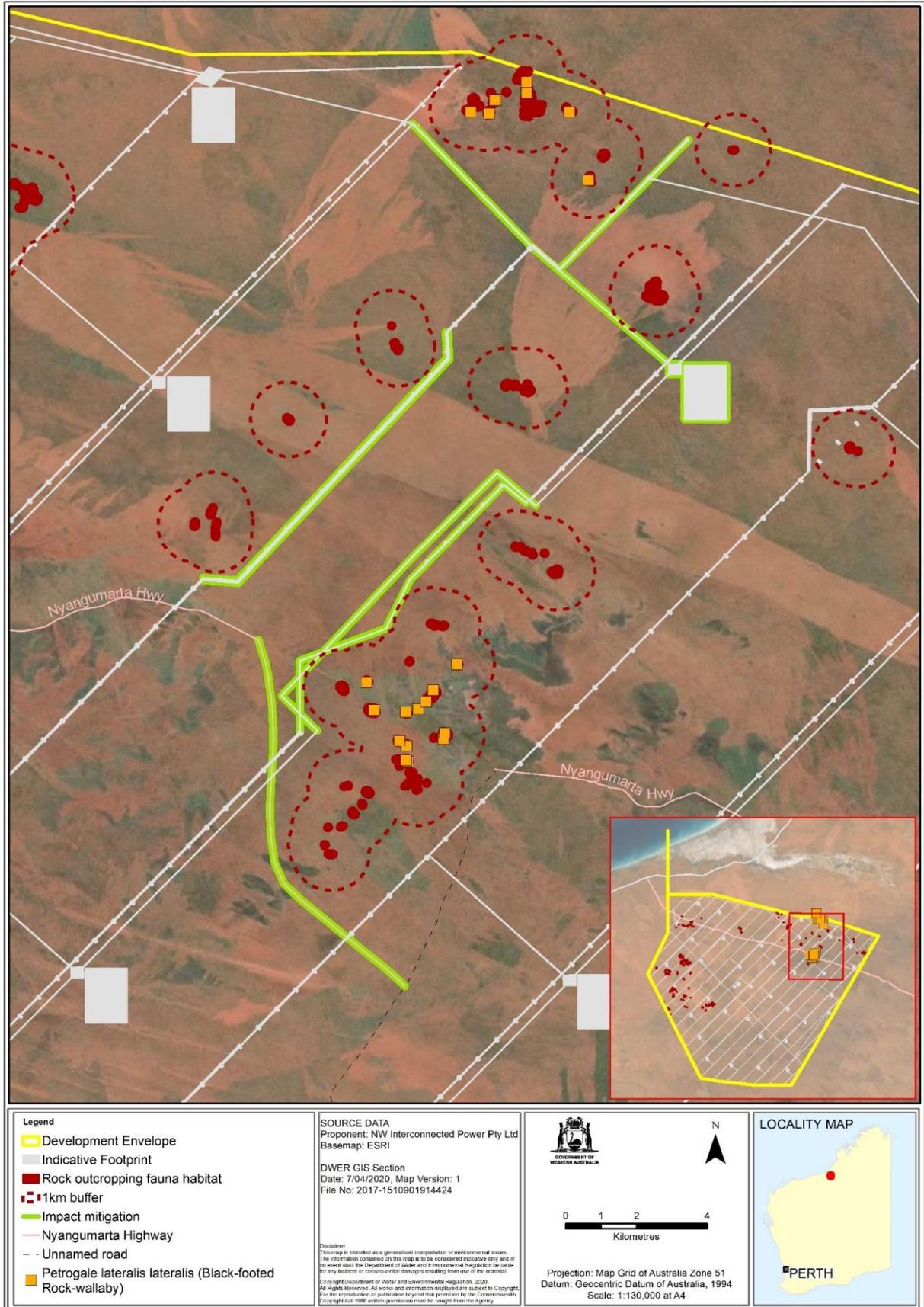


Figure 4: 1 km buffers for confirmed black-footed rock-wallaby rock pile habitat

## **Schedule 2**

Spatial coordinates for the boundaries of the proposal (MGA Zone 50). Note: All spatial data for this proposal is in spherical (instead of Cartesian).

Coordinates defining the boundaries shown in Figures 1, 2, 3 and 4 are held by the Department of Water and Environmental Regulation, Reference Number DWERDT273858.

## Attachment 1 to Ministerial Statement 1153

### Amendment to proposal approved under section 45C of the *Environmental Protection Act 1986*

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This Attachment replaces condition 6, condition 7 and condition 8 and Table 3 of Schedule 1 of Ministerial Statement 1153.

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**Proposal: Asian Renewable Energy Hub**

**Proponent: NW Interconnected Power Pty Ltd**

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**Condition 6 of Ministerial Statement 1153 is deleted and replaced with:**

**6 Fire Management – Staged Fire Management Plan (Terrestrial Fauna and Flora and Vegetation)**

6-1 The proponent shall prepare a Staged Fire Management Plan to demonstrate the following environmental objective will be met:

- (1) avoid and minimise proposal-related impacts to the bilby and the black-footed rock-wallaby in the **development envelope** defined in Schedule 1.

6-2 The initial Staged Fire Management Plan will apply to the first stage of the proposal and shall:

- (1) include a map showing the first stage of the proposal to be implemented and the areas to receive prescribed burns prior to construction;
- (2) specify measures and actions to ensure prescribed burning activities passively relocate bilby away from areas of scheduled **construction activities** and meet the objective in condition 6-1;
- (3) specify the monitoring parameters and procedures that will be used to determine the baseline state prior to prescribed burning for **weeds**, vegetation composition and fire age (time-since-burnt); and feral animal, bilby and black-footed rock-wallaby abundance, distribution and habitat;
- (4) specify the monitoring parameters and procedures that will be used for post-burn surveys for those values identified in condition 6-2(3);
- (5) show evidence of any third-party input received including from Nyangumarta Traditional Owners and surrounding land users, including how that input was addressed;

- (6) provide the format and timing for the reporting of baseline and post-burn surveys to demonstrate compliance with the objective in condition 6-1; and
  - (7) demonstrate adaptive management by providing options for ongoing **management actions** and measures.
- 6-3 The proponent shall submit to the **CEO** the initial Staged Fire Management Plan on advice of the Department of Biodiversity, Conservation and Attractions prior to the commencement of **construction activities**, and shall not commence any prescribed burns in the first stage of the proposal until the **CEO** has confirmed in writing that the initial Staged Fire Management Plan satisfies the requirements of condition 6-2.
- 6-4 The proponent shall implement the initial Staged Fire Management Plan approved in writing by the **CEO**.
- 6-5 Prior to commencement of **construction activities** in the remaining stages of the proposal the proponent shall revise and update the Staged Fire Management Plan that is to apply to the remaining stages of the proposal and demonstrate the environmental objective in condition 6-1 will be met.
- 6-6 The revised and updated Staged Fire Management Plan shall:
  - (1) discuss how monitoring results and learnings from the implementation of the initial Staged Fire Management Plan will be applied to the remaining stages of the proposal;
  - (2) include maps defining the implementation stages of the proposal, and detail how fire history mapping will be undertaken and documented for the life of the proposal;
  - (3) demonstrate how pre-construction and operational prescribed burning will be implemented and staged in the development envelope to create a mosaic of diverse fire age habitats beneficial for bilby;
  - (4) detail pre- and post-burn monitoring parameters of **weeds**, vegetation composition and time-since-burnt; and feral animals, bilby and black-footed rock-wallaby abundance, distribution and habitat;
  - (5) include a program of ongoing consultation with Nyangumarta Traditional Owners and surrounding land users;
  - (6) specify **management actions**; **management targets**; monitoring locations, methodologies, parameters and timing; and reporting to demonstrate compliance with the objective in condition 6-1; and;

- (7) specify a process and timeline to show adaptive management and for revision of **management actions** and **targets**, and updates to the plan in the event targets are not being met.

6-7 The proponent:

- (1) shall not commence implementation of the revised Staged Fire Management Plan, until the CEO has confirmed in writing that the revised Staged Fire Management Plan satisfies the requirements of condition 6-6;
- (2) may review and revise the Staged Fire Management Plan, with any changes to **management actions** and/or **targets** of the Fire Management Plan to be approved by the CEO in writing;
- (3) shall review and revise the Staged Fire Management Plan as and when directed by the CEO by a notice in writing; and
- (4) shall implement the latest revision of the Staged Fire Management Plan approved by the CEO.

6-8 The proponent shall continue to implement the Staged Fire Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 6-1 has been met.

6-9 Where monitoring or investigations indicate a failure to meet or implement **management action(s)** or **management target(s)** detailed in the approved Staged Fire Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures outlined in the approved Staged Fire Management Plan, including, but not limited to, actions and investigations to be undertaken.

6-10 The proponent shall prepare and submit a Staged Fire Management Plan Performance Report to the CEO within five (5) years of commencing prescribed burns and every five (5) years thereafter, until the proponent can demonstrate that the objective of condition 6-1 will continue to be achieved, or unless otherwise agreed by the CEO.

6-11 The Staged Fire Management Plan Performance Report shall include the following:

- (1) an independent review of the implementation and effectiveness of the measures and actions in the Staged Fire Management Plan against the objective of condition 6-1 by an independent fire ecologist expert approved by the CEO in writing;

- (2) results of the monitoring undertaken and an analysis of gathered ecological information, in particular demonstrating the creation and maintenance of a mosaic of differing fire ages within each stage; and
- (3) how monitoring and learnings from the implementation of the Staged Fire Management Plan will be applied to the remaining construction stages and operational life of the proposal.

**Condition 7 of Ministerial Statement 1153 is deleted and replaced with:**

**7 Environmental Management (Terrestrial Fauna, Flora and Vegetation and Social Surroundings)**

7-1 The proponent must ensure the following environmental objectives are achieved when implementing and operating the terrestrial components of the proposal:

*Conservation Reserves*

- (1) avoid and minimise direct and indirect impacts on the environmental values of reserves managed under the *Conservation and Land Management Act 1984*, including the Kujungurru-Warrarn Nature Reserve;

*Flora and Vegetation*

- (2) no direct impacts and minimise indirect impacts to Threatened and Priority 1 flora species and minimise direct and indirect impacts on any other **Priority flora species** and Threatened and Priority ecological communities within the development envelope;
- (3) minimise and manage the introduction, establishment and spread of **weeds** throughout the development envelope;

*Terrestrial Fauna*

- (4) minimise impacts on Threatened, Migratory and/or Priority listed fauna from interactions with operational wind turbines and associated infrastructure (including distribution and transmission cables);
- (5) minimise turbine collision impacts on fire attracted raptor species when undertaking prescribed burns;
- (6) no cable construction activities in beach and intertidal dune habitat during peak avifauna activity periods at Eighty Mile Beach;
- (7) reduce predation risk to Threatened and Priority listed fauna from feral predators within the development envelope;

- (8) no direct or indirect impact to bilby by prohibiting **ground-disturbing activities** within five (5) **m** of the entrance of any active bilby burrow(s);
  - (9) no direct or indirect loss of confirmed black-footed rock-wallaby habitat by prohibiting any clearing of vegetation or location of proposal infrastructure within the one (1) **km** buffer area(s) shown in Figure 4;
  - (10) no direct or indirect loss of confirmed black-footed rock-wallaby habitat attributable to the proposal by ensuring a one (1) **km** buffer zone is implemented around any rock pile habitat that is identified as having black-footed rock-wallaby prior to prescribed burning and **construction activities** in each stage commencing; and
  - (11) maintain viability of populations of black-footed rock-wallaby and bilby in the development envelope from activities attributable to the implementation of the proposal.
- 7-2 To achieve the objectives in condition 7-1, the proponent shall review, revise and submit to the **CEO** an updated Asian Renewable Energy Hub Environmental Management Plan (February 2020, Rev 0) prior to commencing **ground disturbing activities**.
- 7-3 The revised Asian Renewable Energy Hub Environmental Management Plan shall:
- (1) detail industry best-practice bird detection and monitoring systems that will be implemented during operations of wind turbines;
  - (2) outline protocols to shut down the operation of specific turbines in advance if significant flocks of birds are detected and predicted to fly through turbines;
  - (3) include provisions to monitor and record any avifauna impacts from operation of the wind turbines and associated transmission infrastructure;
  - (4) include technically and practically feasible contingency measures to be implemented in the case where management targets relevant to avifauna mortality from operation of the turbines are not met;
  - (5) detail the protocols to be undertaken prior to **ground disturbing activities** to identify active bilby burrows;
  - (6) detail the realignment of the Nyangumarta Highway to avoid active black-footed rock-wallaby habitat and include a timeframe for its planned commencement and completion;

- (7) details of targeted surveys for **Threatened Flora species** and **Priority Flora species** to be undertaken prior to **ground disturbing activities** occurring in each stage;
- (8) details of **weed** management, hygiene and monitoring;
- (9) details of rehabilitation timing and completion criteria of temporary disturbed areas, including areas within the Eighty Mile Beach Marine Park and Kujungurru-Warrarn Nature Reserve;
- (10) be prepared on the advice of the Department of Biodiversity, Conservation and Attractions and relevant Traditional owner groups; and
- (11) specify **management actions**; **management targets**; monitoring locations, methodologies, parameters and timing; and reporting to demonstrate that the objectives in condition 7-1 will be met.

7-4 The proponent:

- (1) may review and revise the Asian Renewable Energy Hub Environmental Management Plan; or
- (2) shall review and revise the Asian Renewable Energy Hub Environmental Management Plan as and when directed by the **CEO** by a notice in writing.

7-5 The proponent shall implement the latest revision of the Asian Renewable Energy Hub Environmental Management Plan approved by the **CEO**.

7-6 The proponent shall not commence **ground disturbing activities** until the **CEO** has confirmed in writing that the Asian Renewable Energy Hub Environmental Management Plan satisfies the requirements of conditions 7-1 and 7-3.

7-7 The proponent shall continue to implement the Asian Renewable Energy Hub Environmental Management Plan until the **CEO** has confirmed by notice in writing that the proponent has demonstrated that the objectives in condition 7-1 have been met.

7-8 Where monitoring or investigations indicate a failure to meet or implement **management action(s)** or **management target(s)** detailed in the approved Asian Renewable Energy Hub Environmental Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures outlined in the approved Environmental Management Plan, including, but not limited to, actions and investigations to be undertaken.

**Condition 8 of Ministerial Statement 1153 is deleted and replaced with:**

**8 Infrastructure Staging and Layout**

8-1 Prior to commencement of **construction activities** in each stage of the proposal, the proponent shall prepare and submit an Infrastructure Staging and Layout Report to the **CEO**. The report is to include:

- (1) a figure showing boundaries of the stages of the proposal;
- (2) maps and spatial data showing the location, alignment, spacing and height (where relevant) of the physical elements in Table 2 of Schedule 1 to be constructed in the upcoming stage of the proposal, and for each constructed stage of the proposal;
- (3) location(s) of areas to be avoided in the upcoming stage including any black-footed rock-wallaby habitat (and the associated one (1) **km** buffer), and Threatened and Priority 1 Flora species as required by condition 7-1;
- (4) a table with estimates of the disturbance footprint for the upcoming stage; and
- (5) a table with a calculation of the cumulative disturbance footprint to date, combined with estimates of future disturbance to ensure the proposal is implemented consistent with the authorised extent in Table 2 of Schedule 1.



**Prof Matthew Tonts**  
CHAIR  
Environmental Protection Authority  
under delegated authority

Approval date: 11 April 2024

Table 3 of Schedule 1 is deleted and replaced with:

**Table 3. Abbreviations and Definitions**

Acronym or Abbreviation	Definition or Term
Cease Work Zone	A 100 m circular zone around subsea cable construction activities, where should the marine fauna observer sight a marine mammal, then cable construction activities shall cease until that mammal has moved more than 100 m away. The marine fauna observer must log all marine mammals and marine mammal behaviour within this 100 m zone that could be interpreted as display of disturbance or distress.
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
Construction activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, earthmoving, vegetation clearing, grading or construction of right of way. Construction activities do not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.
Development envelope	The area within the yellow line marked in Figure 1.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
Ground disturbing activities	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
ha	Hectare
HVDC	High Voltage Direct Current
Intertidal Zone	The area of the marine shoreline that is exposed to air at the lowest astronomical tide, and covered with seawater at the highest astronomical tide.
km	Kilometre
m	metres
Management actions	As defined in the EPA's Instructions on how to prepare <i>Environmental Protection Act 1986 Part IV Environmental Management Plans</i> .
Management targets	As defined in the EPA's Instructions on how to prepare <i>Environmental Protection Act 1986 Part IV Environmental Management Plans</i> .
Observation Zone	A 300 m circular zone around subsea cable construction activities within which the marine fauna observer must watch for and log all marine mammals and marine mammal behaviour that could be interpreted as display of disturbance or distress
Priority Flora species	Plant taxa listed by the Department of Biodiversity, Conservation and Attractions as Priority flora species.

<b>Acronym or Abbreviation</b>	<b>Definition or Term</b>
Threatened flora species	Plant taxa listed as a threatened species in accordance with the <i>Biodiversity Conservation Act 2016</i> .
Weeds	Any plant declared under section 22(2) of the Biosecurity and Agriculture Management Act 2007, any plant listed on a National Weeds List and any weeds listed on DBCA's Pilbara or Kimberley Impact and Invasiveness Ratings list as amended or replaced from time to time.