

Derby Future Energy System

Application Number: **02936**

Commencement Date:

Status: **Locked**

26/05/2025

1. About the project

1.1 Project details

1.1.1 Project title *

Derby Future Energy System

1.1.2 Project industry type *

Energy Generation and Supply (renewable)

1.1.3 Project industry sub-type

Solar Farm

1.1.4 Estimated start date *

01/01/2027

1.1.4 Estimated end date *

31/12/2050

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

The Western Australian (WA) State Government is committed to reduce carbon emissions by 80% of 2020 levels by 2030 and Horizon Power is supporting the Government to achieve this. Many towns in the Kimberley are powered by high emission fossil fuels such as diesel and gas. In Derby, Horizon Power currently purchases power from an independent power producer. The power purchase agreement (PPA) is due to expire, providing Horizon Power with an opportunity to integrate grid-scale renewable electricity into the town supply.

Horizon Power is proposing to construct a Future Energy System (FES) in Derby in the Kimberley region of WA (the Proposed Action). The Proposed Action will ensure security of energy supply to Derby after the expiry of the PPA. As part of this FES, Horizon Power is targeting higher renewables and a reduction in emissions as part of the decarbonisation strategy for the town.

The Derby FES project will nominally consist of solar PV system (up to 21 megawatts alternating current (MWAC)), battery energy storage systems (BESS) (up to 10 megawatts MW/ 55 megawatt-hr (MWh)), a network connection route (up to 8.9 km) and a new thermal power station (up to 8 megawatts (MW)).

The solar and BESS facility is proposed to be located at either Site A or Site B. Site A is located approximately 2.5 km south of Derby on land described as Lot 31 on Deposited Plan 207640. Site B is located approximately 5 km south of Derby on lands described as Lots 5, 14 and 15 on Deposited Plan 230140. As Site A is smaller than Site B, if Site A is selected, a smaller solar farm will be constructed, subject to ongoing survey requirements and detailed design.

The network connection route will follow Derby Highway, Wodehouse Street and Broome Street to connect the solar and BESS facility to a substation at the existing power station site on Broome Street in Derby. The network connection will either be an overhead or underground electrical transmission line and will be up to 8.9 km long. The thermal power station will be installed adjacent to the existing power station on Broome Street in Derby on land described as Lot 648 on Deposited Plan 209773.

A Development Envelope (DE) has been utilised for the Proposed Action approvals, as the exact location of Proposed Action elements are unknown, and will be subject to detailed design in the future. The DE has a total extent of 307.4 ha and represents the boundary surrounding the Proposed Action within which all development will be contained. Construction and operation of the Proposed Action will require permanent clearing of up to 73.5 ha of native vegetation within the DE. It should be noted that the 73.5 ha of native vegetation clearing extent within the DE represents the maximum area of disturbance required to construct and install the Proposed Action, where opportunities are available clearing will be minimised. The DE has been developed as the area within which the least environmental constraints were identified in the biological survey.

Horizon Power will remain flexible with the Proposed Action design. To ensure the Proposed Action avoids impacts to significant environmental and heritage values identified within the DE, avoidance areas will be developed within the DE to avoid impacts to environmental and Aboriginal cultural heritage values as far as practicable.

Further details on the background of the Proposed Action are detailed in Att A - Supporting Document, Section 1, Pages 9-10. The Proposed Action construction and operational elements are detailed in Att A - Supporting Document, Section 2, Pages 11-16.

Environmental management measures are detailed in the Environmental Management Plan (Att A - Supporting Document, Appendix A). The Proposed Action will not require a commissioning phase, and the completed elements of the Proposed Action will be permanent infrastructure, with no significant impacts to Matters of National Environmental Significance expected during operation.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

No

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

The Proposed Action is being referred to the Department of Climate Change, Energy, the Environment and Water under the *Environmental Protection and Biodiversity Conservation Act 1999* due to potential impacts to Matters of National Environmental Significance. A referral to the Western Australian Environmental Protection Authority (EPA) will also be submitted in accordance with the *Environmental Protection Act 1986* (EP Act). If the EPA chose not to assess, a clearing permit will be obtained under the EP Act.

If the EPA decide to assess the Proposed Action, and should the Proposed Action be determined a Controlled Action under the EPBC Act, Horizon Power would request that the EPBC Act assessment approach be an 'accredited assessment' of MNES to be undertaken as part of the EPA assessment of the Proposed Action. The EPA assessment will then inform a decision by the Federal Minister for Environment and conditions for the Proposed Action under the EPBC Act.

Further state approvals may also be required, under the EP Act or *Rights in Water and Irrigation Act 1914*, these will be obtained by the construction contractor as required.

The Proposed Action is aligned with the Western Australian Climate Change Policy and government commitment to reduce government emissions by 80 percent below 2020 levels by 2030.

The solar and BESS facility is proposed to be located at either Site A or Site B. Site A is located approximately 2.5 km south of Derby on land described as Lot 31 on Deposited Plan 207640. Site B is located approximately 5 km south of Derby on lands described as Lots 5, 14 and 15 on Deposited Plan 230140. Land tenure will be arranged as required, including lease and purchase of relevant parcels prior to construction. The new thermal power station will be located adjacent to the existing power station on Lot 648 on Deposited Plan 209773, currently under Management Order to Regional Power Corporation for the purpose of "Powerhouse, Depot and Quarters". As an 'energy operator', Horizon Power has certain rights under sections 46 and 49 of the *Energy Operators (Powers) Act 1979* (EOPA) which allow Horizon Power to access and use land for the purpose of constructing, maintaining and operating electricity infrastructure. Horizon Power will utilise these powers for the network connection route portion of the DE.

For further information on the legislative context of the Proposed Action see Att A - Supporting Document, Section 5, Pages 64-66.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. *

The stakeholder engagement process is guided by an Engagement and Communications Plan that is informed by a strategic engagement framework. This framework combines the principles of the International Association for Public Participation, The Energy Charter and Free Prior and Informed Consent approach to engagement.

By integrating these principles, Horizon Power aims to foster inclusive, transparent, and rights-respecting engagement processes that empower communities and uphold fundamental rights.

Horizon Power is committed to working with communities and engaging with them on projects that impact them. We are committed to sharing the journey with our communities to gain their valuable knowledge, enabling us to translate their worthy ideas into our decisions and actions.

Each engagement activity is tailored to the local context, encouraging two-way dialogue. Information has been delivered in-person where possible. Throughout engagement and communications, queries and concerns have been captured and responses provided, and documented via a stakeholder consultation register.

A dedicated project website with FAQs has been established, providing access to information, and a portal for community members to sign up and receive further project updates. Community members and stakeholders can contact the team via a dedicated project email address or through the regional Horizon Power depot in Broome.

On 19 September 2023, a face-to-face community information session was held in Derby. The session was attended by representatives from Horizon Power's various divisions, including Customer & Community and Future Energy Systems. The session saw a good turnout with 25 RSVPs and 19 attendees representing a diverse group of Derby residents. As a key local stakeholder, Derby Landcare Group were invited to the event and members encouraged to attend. Shire of Derby/West Kimberley Councillors were invited to attend and subsequently requested a copy of the presentation which was provided.

The project was presented to the Regional Developers Australia Kimberley Committee, in Derby on 7 September 2023. Horizon Power met with the Shire of Derby/West Kimberley on 26 June 2024 and further communications remain ongoing.

Two electronic direct mail campaigns have been issued to Derby and Kimberley Horizon Power customers via a dedicated project update notification and as part of a quarterly update. All information disseminated is tailored to the Derby audience. The insights outlined below informed the content. The current database for the Derby community members requesting information about Kimberley FES totals 56 people.

Both the broome@horizonpower.com.au and integratedresourceplanning@horizonpower.com.au project email addresses have been utilised by community and stakeholders to register for project updates, ask questions and provide feedback.

Aboriginal and Torres Strait Islander stakeholder engagement has been occurring in two streams. Broad town-by-town community engagement planned through the Community Engagement and Communications Plan and regionally through dedicated Customer and Community staff to engage with residents.

The Traditional Owner Relationships & Reconciliation (TORR) team have provided back-up support where needed. The TORR team reviewed and adapted communication materials for Traditional Owners and Aboriginal community engagement. The TORR team continue to coordinate the engagement with Traditional Owners through Land Councils and Prescribed Body Corporates (PBC's). This engagement has occurred separate to CE due to governance models and their respective annual calendar of meeting dates. There are two claimant groups with interest in Native Title across the Derby townsite.

A full summary of engagement undertaken to date is included in Att A - Supporting Document, Section 3, Pages 19-27.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

Personal information may be disclosed to other Australian government agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the Privacy Act 1988 (Privacy Act). Your personal information will be used and stored in accordance with the Australian Privacy Principles.

See our Privacy Policy to learn more about accessing or correcting personal information or making a complaint.

Alternatively, email us at privacy@awe.gov.au.

Confirm that you have read and understand this Privacy Notice *

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details

ABN/ACN 57955011697
Organisation name Regional Power Corporation
Organisation address 6102 WA

Referring party details

Name Rochelle Lupton
Job title Environment Lead
Phone 0435042502
Email rochelle.lupton@horizonpower.com.au
Address PO Box 1066 Bentley DC WA 6983

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

Yes

Person proposing to take the action organisation details

ABN/ACN 57955011697
Organisation name Regional Power Corporation
Organisation address 6102 WA

Person proposing to take the action details

Name Rochelle Lupton
Job title Environment Lead
Phone 0435042502
Email rochelle.lupton@horizonpower.com.au
Address PO Box 1066 Bentley DC WA 6983

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

Regional Power Corporation, trading as (T/A) Horizon Power, is a Western Australian (WA) Government Trading Enterprise (GTE) and the state's regional and remote energy provider. Horizon Power operates under the *Electricity Corporations Act 2005* and is governed by a Board of Directors accountable to the Minister for Energy. Horizon operate across the full energy supply chain with generation, transmission, distribution and retail services and are currently considering the future of energy in the transition to renewables.

Works undertaken by Horizon Power are subject to an Environmental Management System including all appropriate screening of project impacts against legislation and their potential impacts on the environment, as well as record keeping and investigation in the event of an incident. Horizon Power operates under an Environment Policy and regularly reviews its legal corporate obligations as relates to environmental performance as well as benchmarking against industry best practice. Horizon Power has a history of responsible environmental management, actively managing over 8,400 km of overhead and underground electrical transmission and distribution lines, associated infrastructure and generation assets across a 2.3 million square kilometre service area. No pending proceedings under Commonwealth or State legislation for the protection of the environment are in progress.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

Horizon Power operates under an Environment Policy and Environmental Management System aligned to ISO14001. Projects are screened against State and Commonwealth legislation, and their potential impacts on the environment are determined, including appropriate avoidance, mitigation and management.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details

ABN/ACN	57955011697
Organisation name	Regional Power Corporation
Organisation address	6102 WA

Proposed designated proponent details

Name	Rochelle Lupton
Job title	Environment Lead
Phone	0435042502
Email	rochelle.lupton@horizonpower.com.au
Address	PO Box 1066 Bentley DC WA 6983

1.3.4 Identity: Summary of allocation

✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	57955011697
Organisation name	Regional Power Corporation
Organisation address	6102 WA
Representative's name	Rochelle Lupton
Representative's job title	Environment Lead
Phone	0435042502
Email	rochelle.lupton@horizonpower.com.au
Address	PO Box 1066 Bentley DC WA 6983

✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

Same as Referring party information.

✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint



Project Area: 308.49 Ha Disturbance Footprint: 308.49 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

Lot 31 on Deposited Plan 207640; Lots 5, 14 and 15 on Deposited Plan 230140; Lot 648 on De

2.2.2 Where is the primary jurisdiction of the proposed action? *

Western Australia

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

The solar and BESS facility is proposed to be located at either Site A or Site B. Site A is located approximately 2.5 km south of Derby on land described as Lot 31 on Deposited Plan 207640. Site B is located approximately 5 km south of Derby on lands described as Lots 5, 14 and 15 on Deposited Plan 230140. Land tenure will be arranged as required, including lease and purchase of relevant parcels prior to construction.

The network connection route will follow Derby Highway, Wodehouse Street and Broome Street to connect the solar and BESS facility to a substation at the existing power station site on Broome Street in Derby. The network connection will either be an overhead or underground electrical transmission line and will be up to 8.9 km long. As an 'energy operator', Horizon Power has certain rights under sections 46 and 49 of the *Energy Operators (Powers) Act 1979* (EOPA) which allow Horizon Power to access and use land for the purpose of constructing, maintaining and operating electricity infrastructure. Horizon Power will utilise these powers for the network connection route portion of the DE.

The new thermal power station will be located adjacent to the existing power station on Lot 648 on Deposited Plan 209773, currently under Management Order to Regional Power Corporation for the purpose of "Powerhouse, Depot and Quarters".

Land access information is provided in Att A - Supporting Document, Section 2.2, Pages 16-17.

BAI Communications Pty Limited are aware that Horizon Power is seeking environmental approvals for the site. This Attachment (Att B - Derby Landowner BAI Authorisation Letter) is not publicly available due to third party sensitives (names and signatures) reasons.

Oro Nominees Pty Ltd are aware that Horizon Power is seeking environmental approvals for the site. This Attachment (Att C - Oro Nominees Authorisation Letter) is not publicly available due to third party sensitives (names and signatures) reasons.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The DE is located on dedicated roads, reserve land, freehold land and unallocated Crown Land (Landgate, 2025a). The surrounding land uses are roads, Crown Land, Crown Reserves, Freehold land, unallocated Crown land and residential areas (Landgate, 2025a). As the DE is located along established roads, these roads will be used for access to the Proposed Action. See Att A - Supporting Document, Section 4.12.4, Page 63 for information of land use of the area surrounding the DE.

The vegetation condition ranges from Very Good to Completely Degraded with the majority of the vegetation in Very Good condition (GHD, 2024). Good or Degraded vegetation is associated with signs of disturbance through clearing for road and track maintenance, presence of weeds and/or clearing for historic gravel extraction (GHD, 2024). No waterways are present within the DE, however a small portion of riparian vegetation was identified in the connection corridor. See Att A - Supporting Document, Section 4.8.1, Pages 50-53 for further detail on vegetation condition within the DE.

3.1.2 Describe any existing or proposed uses for the project area.

The DE is located on dedicated roads, reserve land, freehold land and unallocated Crown Land (Landgate, 2025a). The surrounding land uses are roads, Crown Land, Crown Reserves, Freehold land, unallocated Crown land and residential areas (Landgate, 2025a).

The solar and BESS facility is proposed to be located at either Site A or Site B. Site A is located approximately 2.5 km south of Derby on Lot 31 on Deposited Plan 207640. Site B is located approximately 5 km south of Derby on Lots 5, 14 and 15 on Deposited Plan 230140. Land tenure will be arranged as required, including lease and purchase of relevant parcels prior to construction.

The new thermal power station will be located adjacent to the existing power station on Lot 648 on Deposited Plan 209773, currently under Management Order to Regional Power Corporation for the purpose of "Powerhouse, Depot and Quarters".

The network connection route will follow Derby Highway, Wodehouse Street and Broome Street to connect the solar and BESS facility to a substation at the existing power station site on Broome Street in Derby.

Future land use would be as a solar facility including battery storage, a thermal power station and network connection infrastructure (either overhead or underground). See Att A - Supporting Document, Section 4.12.4, Page 63 for additional information on land use within and surrounding the DE.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

As stated in Att A - Supporting Document, Section 4.11, Page 59, the Proposed Action is located within the Dampierland bioregion and Fitzroy Trough subregion. The Dampierland bioregion is characterised by extensive plains, ranges and spectacular gorges. The vegetation is characterised by Acacia thickets with scattered trees and areas of grasslands and savannas (Bastin & ACRIS Management Committee, 2008).

The West Kimberley region is defined as a National Heritage area due to unique environmental, landscape and heritage features. No gorges or significant features of the Kimberley region are evident within the DE. The West Kimberley National Heritage Place is located approximately 4 km west of the existing power station and network connection route section of the DE.

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

As stated in Att A - Supporting Document, Section 4.5, Page 32, the elevation within the existing power station is relatively flat at approximately 18 m Australian Height Datum (AHD). The network connection route is also relatively flat, ranging from approximately 22 m AHD to 9 m AHD along the route. Site A is flat at around 13 m AHD, and Site B ranges from approximately 23 m AHD in the west to 34 m AHD in the east (Topographic Map, n.d.).

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

Horizon Power commissioned a detailed (single season) flora and vegetation survey and a Targeted and Basic fauna survey to gain an understanding of the flora, vegetation and fauna values within and surrounding the DE. Five sites and the network connection route options were surveyed in Derby, referred to as the Survey Area. The Survey Area was 655.7 ha in total. This biological survey is attached as a supporting document (see Att D - IRP Kimberley Biological Survey, Pages 1 - 690).

The DE has been aligned with cadastral boundaries, which has resulted in small areas along the edges of the DE that have not been surveyed, totalling approximately 6.6 ha. Of the 6.6 ha, 3.3 ha is located at Site A. The vegetation type and vegetation condition mapping has been extrapolated using aerial imagery and the existing GHD (2024) survey data.

Key findings of the GHD (2024) biological survey include:

- No EPBC Act or BC Act listed Threatened flora taxa were recorded within the DE during the GHD (2024) survey.
- Three fauna habitat types have been mapped across 307.4 ha of the DE, of which 73.5 ha is proposed to be cleared (GHD, 2024).
- The GHD (2024) survey recorded three conservation significant fauna species within the DE or in close vicinity to the DE (Fork-tailed Swift, Oriental Cuckoo and the Northern Blue-tongue Skink), with an additional five species considered likely to occur (Gouldian Finch, Grey Falcon, Northern Brushtail Possum, Barn Swallow, Yellow Wagtail).
- Short-range endemic fauna are not considered likely to occur within the DE.

The Supporting Documentation include further details regarding the following:

- Surveys and studies (see Att A - Supporting Document, Section 4.7.1, Pages 32-33)
- Flora diversity (see Att A - Supporting Document, Section 4.7.2, Page 34)
- Introduced species (see Att A - Supporting Document, Section 4.7.3, Page 34)
- Significant flora (see Att A - Supporting Document, Section 4.7.4, Pages 34)
- Fauna diversity (see Att A - Supporting Document, Section 4.7.5, Page 34)
- Fauna habitat (see Att A - Supporting Document, Section 4.7.6, Pages 34-39)
- Significant fauna including Threatened and Migratory fauna (see Att A - Supporting Document, Section 4.7.7, Pages 39-47)
- Short-range endemic fauna (see Att A - Supporting Document, Section 4.7.8, Page 48).

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

The Proposed Action is located within the Dampierland bioregion, and the Fitzroy Trough subregion (DL01) as described by the Interim Biogeographic Regionalisation of Australia (IBRA). The Fitzroy Trough is the semi-arid northern edge of the Canning Basin, encompassing the middle and lower catchments of the Fitzroy River. It includes alluvial plains, sandplains, and eroded dune surfaces derived from the Canning Basin. Extensive coastal mudflats are associated with the Fitzroy delta, while remnants of Devonian limestone barrier reefs are preserved along its northern and eastern edges. The region features woodlands of Pindan, Boab (*Adansonia gregorii*), and Eucalyptus, with rainforest patches and hummock grasslands thriving on limestone (Graham, 2001).

The Proposed Action is located within the Derby Sandplain Zone, which is described as 'sandplains and dunes (with some sandy plateaux and coastal mudflats) on sedimentary rocks of the Canning Basin; Red deep sands with some Yellow sandy earths and Tidal soils; Pindan shrublands with spinifex/tussock grasslands' (DPIRD, 2022a). The Proposed Action overlaps the following land systems (DPIRD, 2022b):

- Wanganut System: Sandplains and linear dunes supporting pindan woodlands with acacias and bloodwoods and curly spinifex- ribbon grass, and broad low-lying swales supporting bloodwood-grey box woodlands with curly spinifex-ribbon grass.
- Carpentaria System: Bare coastal mudflats, minor sandy margins and seaward margins, little vegetation except for mangrove fringing thickets.

The vast majority of the DE (92.35%) is described as having an extremely low probability for occurrence of ASS. However, this classification has a confidence level 4, which means that this is a provisional classification inferred from surrogate data with no on-ground verification (Fitzpatrick et al., 2011).

The Development Envelope overlaps Vegetation Associations 764 and 127. The 307.4 ha DE comprises native vegetation representing three vegetation types (GHD, 2024):

- VT02: Open woodland of *Corymbia dichromophloia*, *Adansonia gregorii* and *Lysiphyllum cunninghamii* over open shrubland (where more recently burnt) or tree form of *Acacia tumida* var. *kulparn* over open shrubland of *Alstonia linearis*, *Dodonaea hispidula* and *Brachychiton diversifolius* subsp. *diversifolius* over open tussock grassland of *Chrysopogon fallax*, *Eriachne obtusa* and *Aristida hygrometrica* over open forbland of *Trichodesma zeylanicum* var. *latise paleum*, *Trianthema pilosum* and *Microstachys chamaelea* on light brown sandplain.
- VT03: Open woodland of *Adansonia gregorii*, *Corymbia zygophylla* and *Corymbia opaca* over open woodland of *Lysiphyllum unninghamii*, *Hakea arborescens* and *Melaleuca cajuputi* subsp. *cajuputi* over shrubland of *Flueggea virosa* subsp. *melanthesoides*, *Terminalia canescens* and *Calytrix exstipulata* over mixed open forbland of *Jasminum molle*, *Drosera derbyensis*, *Ptilotus polystachyus* and *Waltheria indica* on light brown sandy loam seasonal drainage flats.
- VT04: Open woodland of *Adansonia gregorii*, *Corymbia dichromophloia* and *Corymbia zygophylla* over open woodland of *Lysiphyllum cunninghamii*, *Gyrocarpus americanus* subsp. *americanus* and *Hakea arborescens* over mixed shrubland of *Acacia monticola*, *Acacia tumida* var. *kulparn*, *Calytrix exstipulata* and *Flueggea irosa* subsp. *elanthesoides* over open hummock grassland of *Triodia caelestialis* over open tussock grassland of *Eriachne obtusa* and *Chrysopogon fallax* over mixed open forbland of *Solanum cunninghamii*, *Melhaniania oblongifolia*, *Waltheria indica* and *Trichodesma zeylanicum* var. *latise paleum* on light brown sandy loam plains.

Areas that are not considered native vegetation have been modified with significant changes to the vegetation structure and no longer represent an intact vegetation type. These include areas of scattered natives over weeds, landscaped areas and planted gardens, cleared road verge and drains with regrowth of native forbs and grasses or cleared land (GHD, 2024). Development of the Proposed Action requires permanent clearing of up to 73.5 ha of native vegetation within the DE. Of this total, 12.5 ha will be cleared in the network connection route, 1.01 ha within the existing power station and up to 60 ha will be cleared within Site A or Site B.

The GHD (2024) survey also recorded vegetation condition across the DE. The vegetation condition ranges from Very Good to Completely Degraded with the majority of the vegetation in Very Good condition (GHD, 2024). Good or Degraded vegetation is associated with signs of disturbance through clearing for road and track maintenance, presence of weeds and/or clearing for historic gravel extraction (GHD, 2024).

The DBCA Threatened and Priority Ecological Communities database (DBCA, 2024b) and the Protected Matters Search Tool (PMST) (DCCEEW, 2024) did not identify the presence of any listed communities previously recorded within the DE. No State or Commonwealth listed TECs or DBCA listed PECs were recorded within the DE (GHD, 2024).

Vegetation Type VT03 is considered to be riparian vegetation, since it contains seasonal drainage flats. The vegetation unit also contains trees of *Adansonia gregorii*, *Corymbia zygophylla*, *Corymbia opaca* and *Lysiphyllum cunninghamii*. There is 2.6 ha of riparian vegetation within the DE to be cleared.

A detailed description of of geology, landform and soils is provided in Att A - Supporting Document, Section 4.2, Pages 28-31.

A detailed description of the regional biography in relation to the Proposed Action is provided in Att A - Supporting Document, Section 4.6, Page 32.

A detailed description of the vegetation within the DE is provided in Att A - Supporting Document, Section 4.8, Pages 48-53.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

As detailed in Att A - Supporting Document, Section 4.10, Page 57-58, there are no World Heritage Properties or Commonwealth Heritage Places within the DE or within 20 km of the DE. The West Kimberley National Heritage Place is located approximately 4 km west of the existing power station. All activities will be confined to the DE, therefore there will be no impacts to this National Heritage Place as a result of the Proposed Action.

As detailed in Att A - Supporting Document, Section 4.12.3, Pages 61-61, a search of the Heritage Council WA inHerit database confirms two State Heritage sites occur within the DE: Frosty Pool and Holman House (DPLH, 2025a), which are also municipal inventory (DPLA, 2025b) and are located in the network connection route of the DE):

- Frosty Pool (Place No.7207) was constructed in 1944. Its significance is due to the social history of armed forces in the north of WA during World War II. This heritage place is located near Derby Hwy.
- The Holman House (Place No. 09741) was constructed in 1915 to house the resident medical officer in Derby. The house is a good example of a typical house constructed in the region in the early 1900s. Only a small portion, within the land boundary, overlaps the DE.

A figure of these sites is shown of this site in Att A - Supporting Document, Section 4.12.3, Page 62).

3.3.2 Describe any Indigenous heritage values that apply to the project area.

As detailed in Att A - Supporting Document, Section 4.12.1, Page 59, there are currently two registered native title claims within the DE: Booroola Moorrool Morrool (WC2016/005, WAD598/2016) and Warrwa Combined (WC2014/004, WAD33/2019) (NNTT, 2025). Whilst there is no native title determination yet, where the Proposed Action would impact native title rights and interests due to the need for formal land tenure, the current land tenure is freehold, which is inconsistent with native title rights and interests. The proposed network connection route does not affect any undetermined native title rights and interests.

A search of the Aboriginal Cultural Heritage Inquiry System (ACHIS) indicates that one Lodged site intersects the DE and the buffers of two Registered sites intersect the DE (these sites are detailed in Att A - Supporting Document, Section 4.12.2, Pages 59-60). Horizon Power will commission an Aboriginal cultural heritage survey within the DE to validate the locations of these sites and ensure all known Aboriginal cultural heritage intersecting the DE can be avoided.

All Proposed Action activities must be undertaken in accordance with the Western Australian *Aboriginal Heritage Act 1972*. A cultural heritage survey will be undertaken for the Proposed Action and any sensitive features identified will be avoided. No disturbance, damage, impact or removal of any Aboriginal Heritage sites is proposed as part of Proposed Action activities. If required, any disturbance to heritage features will be undertaken in accordance with the *Aboriginal Heritage Act 1972* and any other applicable legislation, aligned with the Horizon Power Aboriginal Cultural Heritage Management Policy and following consultation with the Traditional Owners.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

As detailed in Att A - Supporting Document, Section 4.3, Page 32, the DE is within the Fitzroy River Basin Catchment (DWER, 2024). The Fitzroy River and Tributaries surface water area occurs approximately 17 km south of the DE. There are no permanent water bodies or drainage lines located within the DE. Based on the topography of the DE and surrounding area, rainfall is expected to drain west towards the coast.

There are no significant or nationally important wetlands, rivers or watercourses identified within the DE (GHD, 2024). There are no Ramsar wetlands in close proximity to the DE, the closest important wetland is approximately 50 km north of the DE (Big Springs). The DE is located 1.8 km from the closest watercourse, which is a minor perineal watercourse (tributary of Airport Creek).

As detailed in Att A - Supporting Document, Section 4.4, Page 32, the network connection route portion of the DE overlaps the Derby Water Reserve, which is a Priority 1 Public Drinking Water Source Area (PDWSA) along a narrow area of the network connection route (DWER, 2025). The DE also overlaps the Derby and Canning – Kimberley Groundwater Area proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act). Based on publicly available data, the depth to groundwater in the area surrounding the DE is estimated to be between <5 m to 48 m below ground level (DWER, 2020). The general inferred direction of groundwater flow is in a west direction towards the coast.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no World Heritage Properties or Commonwealth Heritage Places within the DE or within 20 km of the Development Envelope.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The West Kimberley National Heritage Place is located approximately 4 km west of the existing power station, as shown in Att A - Supporting Document, Section 4.10, Page XXX, Figure 4-8. All activities will be confined to the DE, therefore there will be no impacts to this National Heritage Place as a result of the Proposed Action.

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no Ramsar wetlands in close proximity to the DE, the closest important wetland is approximately 50 km north of the DE (Big Springs).

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris canutus</i>	Red Knot, Knot
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
Yes	Yes	<i>Chloebia gouldiae</i>	Gouldian Finch
No	No	<i>Dasyurus hallucatus</i>	Northern Quoll, Digul [Gogo-Yimidir], Wijingadda [Dambimangari], Wiminji [Martu]
No	No	<i>Erythrotriorchis radiatus</i>	Red Goshawk
Yes	Yes	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Limnodromus semipalmatus</i>	Asian Dowitcher
No	No	<i>Limosa lapponica menzbieri</i>	Northern Siberian Bar-tailed Godwit, Russkoye Bar-tailed Godwit
No	No	<i>Macroderma gigas</i>	Ghost Bat
No	No	<i>Macrotis lagotis</i>	Greater Bilby
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Pezoporus occidentalis</i>	Night Parrot
No	No	<i>Pristis pristis</i>	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	No	<i>Rostratula australis</i>	Australian Painted Snipe
Yes	Yes	<i>Tiliqua scincoides intermedia</i>	Northern Blue-tongued Skink
Yes	Yes	<i>Trichosurus vulpecula arnhemensis</i>	Northern Brushtail Possum
No	No	<i>Tringa nebularia</i>	Common Greenshank, Greenshank

Direct impact	Indirect impact	Species	Common name
No	No	Varanus mertensi	Mertens' Water Monitor, Mertens's Water Monitor
No	No	Varanus mitchelli	Mitchell's Water Monitor

Ecological communities

—

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The GHD (2024) survey recorded one conservation significant fauna species within the DE and in close vicinity to the DE (Northern Blue-tongue Skink), with an additional three species considered likely to occur (Gouldian Finch, Grey Falcon and Northern Brushtail Possum). A description of these species is provided in Att A - Supporting Document, Section 4.7.7, Pages 39-47.

As detailed in Att A - Supporting Document, Section 6.2.1, Pages 67-68, construction of the Proposed Action will result in the direct loss of fauna habitat, including habitat suitable for Threatened fauna species, through clearing. Operation of the Proposed Action will not directly impact Threatened fauna as maintenance activities will utilise the existing roads and access tracks, hence impacts to fauna habitats will be short-term.

Direct impacts to Threatened fauna during construction of the Proposed Action include:

- Clearing of up to 29.6 ha of mixed tall closed woodland sandplain, which provides habitat for:
 - Gouldian Finch (critical habitat)
 - Grey Falcon (supporting habitat)
 - Northern Blue-tongued Skink (critical habitat)
 - Northern Brushtail Possum (critical habitat)
- Clearing of up to 2.6 ha of mixed tall open shrubland sandplain, which provides habitat for:
 - Gouldian Finch (critical habitat)
 - Northern Blue-tongued Skink (critical habitat)
- Clearing of up to 66.4 ha of open Eucalypt woodland, which provides habitat for:
 - Gouldian Finch (critical habitat)
 - Grey Falcon (supporting habitat)
 - Northern Blue-tongued Skink (critical habitat)
 - Northern Brushtail Possum (critical habitat)
- Clearing of up to four identified hollow containing trees identified in the GHD (2024) survey within the open Eucalypt woodland and mixed tall closed woodland sandplain habitat types, which could provide suitable important nesting habitat to the Northern Brushtail Possum and the Gouldian Finch.
- Fauna injury/death from vehicle strike, clearing activities or direct collision with infrastructure (particularly with solar and BESS facility infrastructure for bird species).

Construction and operation of the Proposed Action may result in the following indirect impacts to Threatened fauna:

- Fauna activity disturbance from temporary increase in noise/vibration/light, attraction of feral animals, alteration of fire regimes, and increased generation of dust during construction.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.4.6 Describe why you do not consider this to be a Significant Impact. *

An assessment of direct impacts and indirect impacts from the Proposed Action on Threatened species is provided in Att A - Supporting Document, Section 6.2.3, Pages 69-92. A summary is provided below:

- The Proposed Action will result in the loss of 73.5 ha of potential fauna habitat. The habitats present comprise a mixture of mixed tall closed woodland sandplain, mixed tall open shrubland sandplain and open Eucalypt woodland, and provides habitat for various significant fauna species that have the potential to occur within the DE. The design of the Proposed Action has, and will continue to be, refined to minimise the extent of Threatened fauna habitat clearing as much as possible. The assessment of significant residual impacts as a result of clearing significant fauna species habitat is provided in Att A - Supporting Document, Section 6.2.3.1.1, Pages 69-73. Based on the Commonwealth of Australia Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (CoA, 2013), significant residual impacts from the Proposed Action are not expected.
- Significant impacts from fauna injury/death from vehicle strike/clearing activities or direct collision with infrastructure are not expected, as explained in Att A - Supporting Document, Section 6.2.3.1.2, Page 74.
- Significant impacts from fauna activity disturbance from temporary increase in noise/vibration/light attraction of feral animals, alteration of fire regimes, and increased generation of dust during construction are not expected, as explained in Att A - Supporting Document, Section 6.2.3.2.1, Pages 74-75.

Assessment against the significant impact criteria (CoA, 2013) for Threatened species in Att A - Supporting Document, Section 6.2.3.3, Pages 76-92 shows that the Proposed Action is not likely to have a significant impact on the Gouldian Finch, Grey Falcon, Northern Blue-tongue Skink or Northern Brushtail Possum.

4.1.4.7 Do you think your proposed action is a controlled action? *

No

4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action.

*

An assessment of impacts, including assessment against the significant impact criteria (CoA, 2013) for Threatened species was undertaken in Att A - Supporting Document, Section 6.2.3, Pages 69-92. The assessment shows that significant impacts to Threatened fauna as a result of the Proposed Action are not likely.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

As described in Att A - Supporting Document, Section 6.2.2, Page 68, the Proposed Action has been designed to avoid and/or mitigate impacts to Threatened fauna where possible. During the design phase, particular focus has been, and will be, placed on reducing the amount of fauna habitat clearing required for construction. Operation of the Proposed Action will utilise existing roads and access tracks.

Impacts to Threatened fauna will be minimised and reduced through the following mitigation measures:

- Clearing impacts will be further reduced where possible through the detailed design process, including the positioning of solar and BESS facility infrastructure, thermal power station and network connection infrastructure to minimise impacts to fauna habitat
- Dust, noise, vibration and light management measures will be implemented during construction
- Implementation of the management measures in the Environmental Management Plan (EMP) (Att A - Supporting Document, Appendix A) to minimise risks to Threatened fauna, and to provide monitoring during construction
- A pre-clearance survey will be undertaken within the DE for the Northern Brushtail Possum and Northern Blue-tongue Skink, as detailed in the EMP (Att A - Supporting Document, Appendix A)
- Habitat trees suitable for the Northern Brush-tail Possum and the Gouldian Finch will be avoided where possible during site selection and design
- Presence of a licenced fauna specialist prior to the commencement of clearing activities to supervise avoidance, dispersal and relocation of any fauna.

Operational activities associated with the Proposed Action include operation of the solar and BESS facility, network connection and thermal power station, along with maintenance inspections and repairs. Operation of the Proposed Action will utilise existing roads and access tracks. The following management measures will be implemented during operation of the Proposed Action to minimise impacts to Threatened fauna:

- Maintenance and repair activities will be restricted to existing cleared areas where possible
- Access to infrastructure will be through existing access tracks.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

The Proposed Action will not result in any significant residual impacts to Threatened species and ecological communities. An offset strategy is not proposed as management and mitigation measures developed are expected to adequately reduce impacts as a result of the Proposed Action.

4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	<i>Actitis hypoleucos</i>	Common Sandpiper
Yes	Yes	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris canutus</i>	Red Knot, Knot
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Cecropis daurica</i>	Red-rumped Swallow
No	No	<i>Charadrius veredus</i>	Oriental Plover, Oriental Dotterel
No	No	<i>Crocodylus porosus</i>	Salt-water Crocodile, Estuarine Crocodile
Yes	Yes	<i>Cuculus optatus</i>	Oriental Cuckoo, Horsfield's Cuckoo
No	No	<i>Glareola maldivarum</i>	Oriental Pratincole
Yes	Yes	<i>Hirundo rustica</i>	Barn Swallow
No	No	<i>Limnodromus semipalmatus</i>	Asian Dowitcher
No	No	<i>Limosa lapponica</i>	Bar-tailed Godwit
No	No	<i>Motacilla cinerea</i>	Grey Wagtail
Yes	Yes	<i>Motacilla flava</i>	Yellow Wagtail
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Pandion haliaetus</i>	Osprey
No	No	<i>Pristis pristis</i>	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	No	<i>Tringa nebularia</i>	Common Greenshank, Greenshank

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The GHD (2024) survey recorded two conservation significant fauna species in close vicinity to the DE (the Fork-tailed Swift and Oriental Cuckoo), with an additional two species considered likely to occur (Barn Swallow and Yellow Wagtail). A description of these species is provided in Att A - Supporting Document, Section 4.7.7.2, Pages 46-47.

As detailed in Att A - Supporting Document, Section 6.3.1, Page 93, construction of the Proposed Action will result in the direct loss of fauna habitat, including habitat suitable for Migratory fauna species, through clearing. Operation of the Proposed Action will not directly impact Migratory fauna as maintenance activities will utilise the existing roads and access tracks, hence impacts to fauna habitats will be short-term.

Direct impacts to Migratory fauna during construction of the Proposed Action includes:

- Clearing of up to 29.6 ha of mixed tall closed woodland sandplain, which provides habitat for:
 - Barn Swallow (supporting habitat)
 - Fork-tailed Swift (supporting habitat)
 - Oriental Cuckoo (supporting habitat)
 - Yellow Wagtail (supporting habitat)
- Clearing of up to 2.6 ha of mixed tall open shrubland sandplain, which provides habitat for:
 - Fork-tailed Swift (supporting habitat)
 - Oriental Cuckoo (supporting habitat)
- Clearing of up to 66.4 ha of open Eucalypt woodland, which provides habitat for:
 - Barn Swallow (supporting habitat)
 - Fork-tailed Swift (supporting habitat)
 - Oriental Cuckoo (supporting habitat)
 - Yellow Wagtail (supporting habitat)
- Fauna injury/death from vehicle strike, clearing activities or direct collision with infrastructure (particularly with solar and BESS facility infrastructure for bird and bat species).

Construction and operation of the Proposed Action may result in the following indirect impacts to Migratory fauna:

- Fauna activity disturbance from temporary increase in noise/vibration/light, attraction of feral animals, alteration of fire regimes, and increased generation of dust during construction.

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

An assessment of direct impacts and indirect impacts from the Proposed Action on Migratory species is provided in Att A - Supporting Document, Section 6.3.3, Pages 94-107. A summary is provided below:

- The Proposed Action will result in the loss of 73.5 ha of potential fauna habitat. The habitats present comprise a mixture of mixed tall closed woodland sandplain, mixed tall open shrubland sandplain and open Eucalypt woodland, and provides habitat for various significant fauna species that have the potential to occur within the DE. The design of the Proposed Action has, and will continue to be, refined to minimise the extent of fauna habitat clearing as much as possible. The assessment of significant residual impacts as a result of clearing fauna habitat is provided in Att A - Supporting Document, Section 6.3.3.1.1, Pages 94-97. Significant residual impacts from the Proposed Action are not expected.
- Significant impacts from fauna injury/death from vehicle strike/clearing activities or direct collision with infrastructure are not expected, as explained in Att A - Supporting Document, Section 6.3.3.1.2, Page 98.
- Significant impacts from fauna activity disturbance from temporary increase in noise/vibration/light attraction of feral animals, alteration of fire regimes, and increased generation of dust during construction are not expected, as explained in Att A - Supporting Document, Section 6.3.3.2.1, Pages 98-99.

Assessment against the significant impact criteria (CoA, 2013) for Migratory species in Att A - Supporting Document, Section 6.3.3.3, Pages 100-107 shows that the Proposed Action is not likely to have a significant impact on the Barn Swallow, Fork-tailed Swift, Oriental Cuckoo or Yellow Wagtail.

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action.

*

An assessment of impacts, including assessment against the significant impact criteria (CoA, 2013) for Migratory species was undertaken in Att A - Supporting Document, Section 6.3.3, Pages 94-107. The assessment shows that significant impacts to Migratory fauna as a result of the Proposed Action are not likely.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

As described in Att A - Supporting Document, Section 6.3.2, Page 93-94, the Proposed Action has been designed to avoid and/or mitigate impacts to Migratory fauna where possible. During the design phase, particular focus has been, and will be, placed on reducing the amount of fauna habitat clearing required for construction. Operation of the Proposed Action will utilise existing roads and access tracks.

Impacts to Migratory fauna will be minimised and reduced through the following mitigation measures:

- Clearing impacts will be further reduced where possible through the detailed design process, including the positioning of solar and BESS facility infrastructure, network connection infrastructure and thermal power station to minimise impacts to fauna habitat
- Dust, noise, vibration and light management measures will be implemented during construction
- Implementation of the management measures in the EMP (Att A - Supporting Document, Appendix A) to minimise risks to Migratory fauna, and to provide monitoring during construction.

Operational activities associated with the Proposed Action include operation of the solar and BESS facility, network connection and thermal power station, along with maintenance inspections and repairs. Operation of the Proposed Action will utilise existing roads and access tracks. The following management measures will be implemented during operation of the Proposed Action to minimise impacts to Migratory fauna:

- Maintenance and repair activities will be restricted to existing cleared areas where possible
- Access to infrastructure will be through existing access tracks.

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

The Proposed Action will not result in any significant residual impacts to Migratory species. An offset strategy is not proposed as management and mitigation measures developed are expected to adequately reduce impacts as a result of the Proposed Action.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed Action does not include any nuclear components and is not expected to have any direct or indirect impacts on the environment as a result of nuclear actions.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

No impacts to Commonwealth marine areas are proposed.

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed Action is in Western Australia and not within vicinity of the Great Barrier Reef.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed Action will not require impacts to water resources in relation to a coal mining development or coal seam gas development.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Proposed Action is not being undertaken on Commonwealth land and is not expected to impact Commonwealth land.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

No Commonwealth heritage places overseas are proposed to be impacted by the Proposed Action.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

None

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Threatened Species and Ecological Communities (S18)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

Several proposed alternatives were considered for the Proposed Action but will not be progressed as detailed in Att A - Supporting Document, Section 2.4, Page 18 and summarised below.

Alternative sites

The biological survey covered five sites and the network connection route, totalling 655.7 ha. These areas combined are referred to as the Survey Area, and provide regional context for this Proposed Action. These surveys were undertaken to inform environmental constraints in Derby and to aid in site selection for the Proposed Action. The DE for this Proposed Action was selected as it presented the fewest environmental constraints. Selection of the location of the DE allowed the following environmental sensitivities to be avoided:

- Seven habitat trees with suitable nesting hollows for the Northern Brushtail Possum. These trees are also considered suitable habitat for the Gouldian Finch.
- Riparian vegetation.

Alternative project components

A combined option of wind, solar, PV and energy storage system was considered for the Proposed Action. Desktop assessments, energy modelling and financial assessments were conducted, and wind energy was not considered a feasible option.

Horizon Power is embracing technology and products that enable more Customer Energy Resources (CER) for greater community participation in decarbonisation. CER will be a complimentary solution to the Derby FES.

Do nothing

The 'Do nothing' option was considered as part of the Business Case however would not meet the electricity needs of the town.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	05/06/2025	No	High

1.2.6 Commonwealth or state legislation, planning frameworks or policy documents that are relevant to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High
#2.	Link	Western Australias Climate Action https://www.climateaction.wa.gov.au/wa-climate-a..			High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Environmental Policy https://www.horizonpower.com.au/globalassets/med..			High

2.2.5 Tenure of the action area relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High
#2.	Document	Confidential Attachment B - Derby Landowner BAI Authorisation Letter.pdf This document contains the Derby Landowners BAI Authorisation. This document is not publicly available due	23/06/2025	Yes	High

to third party sensitivity (names and signatures) reasons.

#3.	Document	Confidential Attachment C - Oro Nominees Authorisation Letter.pdf Oro Nominees Authorisation Letter. This document is not publicly available due to third party sensitivities (names and signatures) reasons.	23/06/2025	Yes	High
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3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.1.2 Existing or proposed uses for the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.1.3 Natural features, important or unique values that applies to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.1.4 Gradient relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf	04/06/2025	No	High

EPBC Act Referral Supporting Document					
#2.	Document	Attachment D - IRP Kimberley Biological Survey.pdf Biological Survey	25/07/2024	No	High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

3.4.1 Hydrology characteristics that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.4.6 (Threatened Species and Ecological Communities) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.4.9 (Threatened Species and Ecological Communities) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.5.2 (Migratory Species) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.5.6 (Migratory Species) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.1.5.9 (Migratory Species) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025		High

4.1.5.10 (Migratory Species) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

4.3.8 Why alternatives for your proposed action were not possible

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A - Supporting Document.pdf EPBC Act Referral Supporting Document	04/06/2025	No	High

5.2 Declarations

Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	57955011697
Organisation name	Regional Power Corporation
Organisation address	6102 WA
Representative's name	Rochelle Lupton
Representative's job title	Environment Lead
Phone	0435042502
Email	rochelle.lupton@horizonpower.com.au
Address	PO Box 1066 Bentley DC WA 6983

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

By checking this box, I, **Rochelle Lupton of Regional Power Corporation**, 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. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

Same as Referring party information.

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, **Rochelle Lupton of Regional Power Corporation**, 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 or for the benefit of any other person or entity. *

I, **Rochelle Lupton of Regional Power Corporation**, the Person proposing the action, consent to the designation of **Rochelle Lupton of Regional Power Corporation** as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, **Rochelle Lupton of Regional Power Corporation**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

I would like to receive notifications and track the referral progress through the EPBC portal. *