

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

Proposal title: Yathroo Wind Farm

Proposal description:

The proposal is for the development of an onshore wind farm and involves the construction and operation of up to 65 wind turbines, generating up to 500 megawatts (MW). Associated infrastructure includes a battery energy storage system (BESS), electrical cabling, substation, transmission infrastructure, and other supporting and temporary infrastructure. The Proposal is located on freehold agricultural land approximately 5 km south of Dandaragan, Western Australia. The Proposal will connect to Western Power's existing transmission line.

The total proposed area of disturbance is 729.1 ha within a 15,618 ha development envelope (DE). The Proposal requires clearing of up to 10.28 ha of remnant native vegetation and 5.45 ha of isolated native trees and shrubs.

Proposal location: Shire of Dandaragan

APP number: APP-0033126

Date referral received: 06-01-2026

Referrer: Neoen Australia Pty Ltd

Proponent: Neoen Australia Pty Ltd

Potential significant effects: there are potential impacts on: **flora and vegetation** from clearing of native vegetation; **terrestrial fauna** from clearing of habitat and from ongoing collision risk from wind turbines; and **social surroundings** from construction and operation impacts to Aboriginal cultural heritage and amenity (noise and visual).

Environmental factors: flora and vegetation, terrestrial fauna and social surroundings

Public comment on referral information:

Does the proposal need further assessment due to its
potential significant impacts?

Yes 4 No 0

If the proposal requires further assessment, should the EPA
include further opportunities for public review?

Yes 4 No 0

Total submissions: 4

Decision: s. 38G(1) – Not assess – Public advice given

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

The EPA has decided not to assess the proposal because:

- The EPA considers the likely environmental effects of the proposal are not so significant or unmitigated to warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document (PCD) and management outlined in the Referral Supporting Document (RSD) and supporting attachments available on the [EPA Website](#).
- The EPA recognises that the proposal development envelope (DE) is primarily comprised of cleared agricultural land and that modification of the proposal design has limited clearing of native vegetation to 15.73 ha within a 15,618 ha DE.

- The EPA notes that implementation of the proposal will directly impact Department of Biodiversity, Conservation and Attractions (DBCA) listed Priority Ecological Community (PEC) 'Banksia Woodlands of the Swan Coastal Plain', and two vegetation associations which have less than 30% of the pre-European extent remaining in the associated bioregion. The EPA considers that impacts on Flora and Vegetation can be managed appropriately through the proposed mitigation measures and under other decision-making processes (see subsections below):
 - Avoiding clearing of threatened and priority flora.
 - Avoiding clearing of 'Banksia Woodlands of the Swan Coastal Plain' PEC in good or better condition.
 - Minimising clearing of 'Banksia Woodlands of the Swan Coastal Plain' PEC to 0.11 ha in areas mapped as degraded and only to facilitate access.
 - Early design adjustments to avoid areas of remnant native vegetation in good or better condition and limit clearing to 0.06% of VSA 999 and 0.25% of VSA 125 present within the proposal DE.
 - A commitment to further refine the footprint during detailed design to minimise clearing of native vegetation, especially within VA 999 and VA 125.
- The EPA notes that several conservation significant birds, including black cockatoos, blue-billed duck and peregrine falcon may be impacted by the proposal. The EPA considers that impacts on Terrestrial Fauna can be managed appropriately through the proposed mitigation measures and under other decision-making processes (see subsections below)
 - Avoiding clearing of habitat with high foraging value for black cockatoos, and limiting clearing of potential nesting trees to 112 (noting all trees were inspected and either do not contain suitable hollows or did not show evidence of use by black cockatoos). The EPA considers that impacts on 112 potential nesting trees and foraging habitat for black cockatoo species can be effectively managed by Native Vegetation Clearing Permits issued under Part V, Division 2 of the EP Act.
 - Limiting construction to daylight hours (7am to 5pm) to minimise noise and light disturbance to known black cockatoo roost sites. As well as a commitment to include best practice operational light minimisation measures from the National Light Pollution Guidelines for Wildlife.
 - The proposal presents an ongoing risk to avifauna, including conservation significant fauna species, from collision or strike with turbines, which may result in fauna mortality. The EPA notes that the proponent has increased the turbine blade tip height to 59 m above ground level to minimise collision risk, and has adjusted the location of turbines to ensure a separation distance of at least 3.5 km from wetland habitats and at least 4 km from known black cockatoo night roosts. The EPA has assessed the adequacy of the Preliminary Bird and Bat Adaptive Management Plan (BBAMP) to mitigate mortality risk to birds and bats from operation of the proposal. The EPA notes that the Development Approval (DA) conditions for the proposal require the implementation of an appropriate BBAMP prior to the commencement of operations.

- The EPA notes that the proposal requires groundwater abstraction of up to 200,000 kL/year during construction (three years), and minor quantities during operations and decommissioning. The proposal is also likely to require the construction of creek crossings to facilitate construction. The EPA has considered the temporary nature of the proposed abstraction and groundwater use options for the Proclaimed Gingin Groundwater Area noting the target aquifer. The EPA has confidence that impacts to Inland Waters can be managed through the assessment processes under the *Rights in Water and Irrigation Act 1914* (RiWI Act) (see subsections below).
- The EPA has considered the rural locality of the proposal and the impacts to amenity (both visual and noise) in this context, as well as the requirement for noise levels at sensitive receivers (regardless of cumulative noise sources) to comply with the limits identified in the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) (as amended). Given noise is regulated under the Noise Regulations and the DA for the proposal includes a condition for an updated Noise Impact Assessment (NIA) to demonstrate that the proposal can comply with the Noise Regulations, the EPA is confident that impacts to social surroundings (amenity) from operational noise is not likely to be significant.
- The EPA notes the proponent's commitment to avoid two lodged Aboriginal Cultural Heritage (ACH) sites that intersect the proposal DE, and to undertake archaeological and ethnographic heritage surveys prior to ground disturbance. The EPA notes the proponent will avoid any ACH values identified during surveys (where possible) and if disturbance of an ACH site is required, the EPA is confident that impacts to social surroundings (Aboriginal heritage) can be assessed and managed under the *Aboriginal Heritage Act 1972* (AH Act).
- The EPA considered cumulative impacts of the proposal with other activities within the area. The proposed clearing represents a small increase to the cumulative clearing of native vegetation within the local area and is not considered to cause any additional fragmentation. The EPA considers that the impacts from the proposal are unlikely to contribute to additional cumulative impacts which would undermine achievement of EPA's objectives.
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.
- Given the EPA's decision to 'not assess' this proposal, there will be further opportunity for the public to comment on aspects of the proposal during the public comment period for applications under Part V Division 2 of the EP Act.
- The EPA considers that potential environmental impacts associated with the construction and operation of the proposal can be regulated by other decision-making processes (see subsections below).

Taking into account decision-making processes under the Planning and Development Act 20025 (PD Act)

- The proposal requires DA under Section 6 of the PD Act. Assessment of the DA gives regard to the Planning and Development (Local Planning Schemes) Regulations 2015 (PD Regulations).

- The proposal was granted DA #98/25 on the 23 October 2025 subject to conditions, including conditions that require:
 - BBAMP which must be to the satisfaction of the Shire in consultation with DBCA
 - Surface Water Management Plan which must include flood modelling, suitable designs for creek crossings, and management measures to prevent/minimise erosion and the release of contaminants
 - Decommissioning and Rehabilitation Management Plan
 - Traffic Management Plan
 - An updated NIA to demonstrate compliance with the Noise Regulations, on advice from the Department of Water and Environmental Regulation (DWER). And a post-construction report to confirm recommendations and mitigations of the NIA have been implemented.
 - Pre-construction on-ground cultural heritage surveys.
 - The proponent to remedy any reception problems attributable to the project at dwellings within 5 km of turbines.
 - Low reflective treatment on turbine blades to minimise reflective glinting.
 - Micro-site within 300 m radius of proposed turbine locations.
- Additionally, the EPA has assessed the adequacy of the Preliminary BBAMP to monitor and manage ongoing risk to birds and bats from operation of the proposal and formed a view that it includes a comprehensive risk assessment (informed by the five completed BBUS), clearly defined impact triggers and an adaptive management focus. Further recommendations are discussed within the Public Advice section of this document.
- Since DA #98/25 requires compliance with the Noise Regulations, the EPA notes the following.
 - Operation of the proposal will generate noise that has the potential to impact noise sensitive receivers.
 - The Noise Regulations set assigned (allowable) levels for noise received at various types of premises. Should the assigned levels be exceeded, the Noise Regulations would require that noise mitigation measures are implemented until the assigned noise levels are met. The EPA is satisfied that the Noise Regulations can manage impacts to amenity from noise, such that the EPA's objective for social surroundings can be met.

Taking into account decision-making process under the Part V Division 2 of the EP Act, the Environmental Protection Regulations 1987 (EP Regulations), and the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Clearing Regulations)

- The proposal primarily occurs on cleared agricultural land. Clearing of native vegetation has been limited to 15.73 hectares, including 0.11 ha of a DBCA listed PEC. No clearing of BC Act listed threatened flora and DBCA listed priority flora will occur.
- The impacts associated with clearing of native vegetation, including direct impacts on fauna habitat can be assessed and regulated under Part V Division 2 (Clearing) of the EP Act.

- The proponent will submit an application to DWER for a permit to clear vegetation under Part V Division 2 (Clearing) of the EP Act.
- In assessing the Native Vegetation Clearing Permit application, DWER will consider how the proponent has applied the mitigation hierarchy and the ten Clearing Principles outlined in the EP Act, and whether any conditions should be prescribed to manage potential impacts to vegetation.
- It is noted that offsets can also be prescribed to counterbalance any significant residual impacts to biodiversity values.

Taking into account decision-making process under the Part V Division 3 of the EP Act, the EP Regulations

- Construction of the proposal requires a concrete batching plant, a crushing and screening plant, and sewage disposal, one or more of which may require a works approval and licence under Part V Division 3 of the EP Act if the premise exceeds the production or design capacity specified in Schedule 1 of the EP Regulations.
- In assessing the works approval, DWER will consider how the proponent has applied the mitigation hierarchy, and what conditions should be prescribed in the licence to manage potential impacts to the environment from premise emissions and discharges.

Taking into account decision-making process under the RiWI Act

- The proposal is located within the Gingin Proclaimed Groundwater Area, and partially within the Moore River and Certain Tributaries Proclaimed Surface Water Area.
- The proposal has the potential to impact on inland waters, from construction of creek crossings and groundwater abstraction (mostly during construction).
- If works obstruct, interfere or destroy the bed or banks of a watercourse within the Proclaimed Surface Water Area, a permit under section 11/17/21A of the RiWI Act (bed and banks permit) is required from DWER, in addition to a 5C licence to take groundwater, and potentially a 26D licence to construct or modify a well (if required). The EPA objectives for inland waters can be met through assessment and approval process under the RiWI Act.

Taking into account decision-making processes under the Aboriginal Heritage Act 1972 (AH Act)

- No registered ACH sites have been recorded in the proposal DE. Two lodged ACH sites intersect the proposal DE which will be avoided by the proponent.
- The EPA considers the proponent has taken reasonable steps to consult with the Traditional Owners, through engagement with the Yued Aboriginal Council, Local Elders and Yued Community Members. Archaeological and ethnographic heritage surveys will be completed prior to ground disturbance, with appropriate mitigation/controls developed in consultation with Traditional Owners. Any ACH

values identified during surveys will be avoided (where possible) or the appropriate approvals obtained for their removal.

- The EPA is satisfied that the processes provided for under the AH Act can mitigate potential impacts to any registered ACH sites to be consistent with the EPA objectives.

Public advice

Advice to other decision-making authorities

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- The EPA notes the proponent has modified the proposal design to limit clearing of VA 999 to 3.91 ha of remnant native vegetation and 3.84 ha of isolated native trees and shrubs; and clearing of VA 125 to 0.41 ha of remnant native vegetation and 0.21 ha of isolated native trees and shrubs. This clearing represents 0.06% of VA 999 and 0.25 % of VA 125 mapped within the proposal DE. The EPA is supportive of the proponent's commitment to investigate options to refine the disturbance footprint, in order to further minimise clearing within VA 999 and VA 125.
- The EPA notes the presence of two known Carnaby's black cockatoo night roosts within the proposal DE (with one roost, night roost B, immediately adjacent to the proposed disturbance footprint) and the potential for cumulative impacts to this species from developments in the region. The EPA is supportive of the proponents proposed management of light impacts to include lighting in proximity to known black-cockatoo roost sites will be designed and managed in consideration of the *National Light Pollution Guidelines for Wildlife*. This will include:
 - Permanent lighting will be installed only where required
 - Permanent and temporary lighting will be shielded to minimise light spill
 - Automatic timers or photovoltaic switches will be used where suitable
 - Permanent and temporary lighting will be directed away from Black-cockatoo roost sites.
- The EPA notes a 'high' risk collision rating was assigned to blue-billed duck and peregrine falcon and notes the potential for cumulative impacts to these species from wind farms in the region. The EPA is supportive of the proposed response to carcass detection in the Preliminary BBAMP which includes notifying DBCA and an investigation into contributing factors with a report provided to DBCA. Condition 22 of DA #98/25 requires the proponent to develop and implement a BBAMP, prior to commencement of construction, to the satisfaction of the Shire in consultation with DBCA. The EPA notes the proponent will update the Preliminary BBAMP to adjust the impact trigger for peregrine falcon and blue-billed duck to '*one carcass, featherspot, or injured individual*' to better monitor and manage potential impacts.

Material information considered by the EPA in this decision

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

- Referral Form (17 December 2025)
- Referral Supporting Document (09 January 2026), including the following appendices:
 - Appendix A - Preliminary Decommissioning and Rehabilitation Management Plan
 - Appendix B - Community and Stakeholder Engagement Plan
 - Appendix C - Detailed and Targeted Flora and Vegetation Assessment
 - Appendix D – Preliminary Construction Environmental Management Plan
 - Appendix E – Vertebrate Fauna Survey Report
 - Appendix F – Bird and Bat Utilisation Survey Summary Report
 - Appendix G – Flood Modelling Report – Part 1
 - Appendix G – Flood Modelling Report – Part 2
 - Appendix G – Flood Modelling Report – Part 3
 - Appendix G – Flood Modelling Report – Part 4
 - Appendix H – Targeted Fauna Habitat Assessment
 - Appendix I – Preliminary Bird and Bat Adaptive Management Plan
 - Appendix J – Heritage Due Diligence Assessment
 - Appendix K – Landscape and Visual Impact Assessment – Part A
 - Appendix K – Landscape and Visual Impact Assessment – Part B
 - Appendix K – Landscape and Visual Impact Assessment – Part C
 - Appendix K – Landscape and Visual Impact Assessment – Part D
 - Appendix L – Noise Impact Assessment
 - Appendix M – Electromagnetic Interference Assessment
 - Appendix N – Shadow Flicker and Blade Glint Assessment
 - Appendix O – Assessment of Matters of National Environmental Significance
 - Appendix P – H1 Hydrogeological Report
- Comments received during the 7-day public comment period.
- Further information from proponent (30/01/2026).
- EP Act s.3, s.4, Part IV; EPA factor and technical guidance.

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



Darren Walsh
Chair

Delegate of the Environmental Protection Authority

02/02/2026