

Kyoto energypark

8. Biodiversity, Flora and Fauna

8.0 BIODIVERSITY, FLORA & FAUNA

8.1 Introduction

This section seeks to provide a summary of the ecological impacts of the proposal including discussion resulting from:

- Appendix A CEG Consult – *Ecological Site Assessment ESA (May 2008)*
- Appendix A(i) CEG Consult –
 - *Referral of Proposed Action to the Department of Environment, Water, Heritage and the Arts (DEWHA)*
 - *Notification of Referral Decision – Department of Environment, Water, Heritage and the Arts (DEWHA)*
- Appendix A(ii) CEG Consult – *Bird Impact Assessment (June 2008)*;
- Appendix A(iii) CEG Consult – *Flora and Fauna Assessment Report (Dec 2007)*

The Flora and Fauna Assessment originally prepared for the site has been attached as Appendix 4. This provides full details of all flora and fauna survey methodologies and effort. Appendix 1 of the Ecological Site Assessment also includes details on flora and fauna survey methodologies and effort. This includes:

- Details of total survey effort
- Environmental conditions during surveys
- Habitat vegetation types surveyed
- Number of vegetation quadrats
- Details of timing of surveys – see amended survey times in flora survey details in Appendix 1 of the ESA

Both Mountain and Middlebrook Stations are located on high ground which forms an escarpment to the west and north-west of Scone, respectively. Past human land management practices have resulted in the subject sites (primarily Mountain Station), being heavily cleared for pastoral activities and modified native vegetation. The Towarri National Park is located adjacent to the Middlebrook Station northern and western border.

The following section provides an extension to this discussion offering specific information in relation to the effects of the proposed Kyoto Energy Park on the existing flora and fauna, and how such effects have been mitigated where required. This Flora and Fauna Assessment has been undertaken to address the various sections of the *Environmental Planning and Assessment Act 1979*, the *Director Generals Requirements (DGRs)*, the *Threatened Species Conservation Act 1995*, the *Environment Protection and Biodiversity Conservation Act (1999)*, and the *Guidelines for Threatened Species Removal (2005)*.

The impact of the proposal as a consequence of bird and bat rotor impacts has been addressed in accordance with the *Guidelines for Threatened Species Assessment, Wind Farms and Birds: Interim Standards for Risk Assessment* (Auswind July 2005).

8.2 Flora

Flora observations were undertaken by *Conacher Travers* between April 2007 and February 2008 on both sites.

The report found that:

- No threatened flora species were observed within the subject landholdings;
- One ecologically endangered population was identified on the landholding *Cymbidium canaliculatum* or Tiger Orchid. Seven (7) isolated clumps were observed dispersed within the two landholdings, within the Box Woodland vegetation community. This endangered population is located in areas which will not be affected by the proposal, and it is considered that the proposal will not have an adverse effect on this species;
- One Endangered Ecological Community (EEC) was identified on the subject site. This was the White Box Yellow Box Blakely's Red Gum Woodland (WBYBBRW). Two variants to this community were

identified. These are the Box Woodland (grassy variant), and Box – Ironbark Grassy Woodland. This endangered ecological community occupies a total area of 649ha of the subject site (Middlebrook = 360ha Mountain = 289ha) and is listed on Schedule 1, Part 3 of the TSC Act (1995). This community also corresponds in part with the Upper Hunter White Box-Ironbark Grassy Woodland vegetation community mapped by Peak (2006) as occupying approximately 5687ha within the Upper Hunter region. This EEC is also known to be securely conserved, albeit poorly represented within the Goulbourn River and Towarri National Park Upper Hunter reserve system.

Based on preliminary site layout plans the proposal is likely to require the removal of a maximum of 5.9 hectares of White Box - Yellow Box - Blakely's Red Gum Woodland. This consists of 0.9% of the total 649Ha or approximately 3.6 hectares within Middlebrook Station and 2.3 hectares on Mountain Station of the Box Woodland Community within the limits of the site for the upgrading of the vehicle access tracks and construction of the wind turbines envelopes and components. Approximately 640 hectares of this endangered ecological community will be retained within the site.

This figure represents the maximum amount to be removed or disturbed and is likely to be significantly less based on selective removal procedures during construction. The majority of the Box Woodland vegetation that may be required for removal within the subject site is highly disturbed by current intensive grazing practices, exotic weed invasion and clearing.

It is expected that the amount of vegetation requiring removal for transmission line Options 2 and 4 will be low. The large majority of these routes occur along road reserves and current powerline easements and as such clearing will be minimal.

It is considered that the proposal will not impact upon the status, viability or habitat of this endangered ecological community within the local area or region.

The results of the flora assessment including coverage and location of vegetation assemblages, the EEC WBYBBRW and *Cymbidium canaliculatum* are shown in Figure 8.0 and Figure 8.1 below.

8.3 Fauna

Seven threatened fauna species as listed under the *Threatened Species Conservation Act 1995* where identified on the site. These include:

- the Glossy Black-Cockatoo
- Speckled Warbler
- Grey-crowned Babbler
- Grey-headed Flying-fox
- Yellow-bellied Sheath tailed-bat
- Common Bentwing-bat
- Eastern Cave Bat,

These species were observed within the subject site during surveys, including when airborne and otherwise.

A 7-part test was completed for the above species in accordance with Section 5A of the *Environmental Planning and Assessment Act (1979)* and the *Threatened Species Conservation Act 1995 (1995)*. The 7 Part Test was completed as part of the Flora and Fauna Assessment for all species with suitable habitat present on the site.

The 7-part test concluded that the proposed development was not likely to have a significant effect on threatened species, populations or ecological communities or their habitats. It was concluded that a Species Impact Statement would not be required for the proposal as discussed in the following section. In accordance with section *Threatened Species Conservation Act 1999* a 7 Part test was undertaken for the listed species described above. The completed 7 Part Tests are included in Appendix A(iv) Conacher Environmental Group – *Flora and Fauna Assessment Report*.

An assessment of the subject site for Koala activity was undertaken. The assessment concluded that potential Koala habitat existed within the sites. This was in the form of White Box, Grey gum, and Forest

Red gum food tree species as listed in Schedule 2 of the SEPP. These species comprised more than 15% of site coverage. These vegetation types and the wider site were examined for Koala activity, evidence or habitation. Due to the lack of sightings or evidence of Koalas it was considered that the site did not form core Koala habitat and therefore the SEPP was not applicable.

No listed ground dwelling species were identified as being present on the subject site. Given the high level of disturbance on both sites, and the fact that the main habitat type is open grassland this is not unexpected. As the majority of the proposed impact will occur on land which has already been cleared the proposal is not expected to result in significant impact on species in the locality however particular attention needs to be given to flight capable species.

Despite these findings a detailed bird impact assessment was undertaken to determine the potential impact of the proposed wind farm on bird species from impact with the blade rotor of the wind turbine.

8.4 EPBC Referral

Where a proposed activity is located in an area identified to be of National Environmental Significance, or such that it is likely to significantly affect threatened species, ecological communities, migratory species or their habitats, the matter needs to be referred to the Department of Environment, Water, Heritage and the Arts (DEWHA).

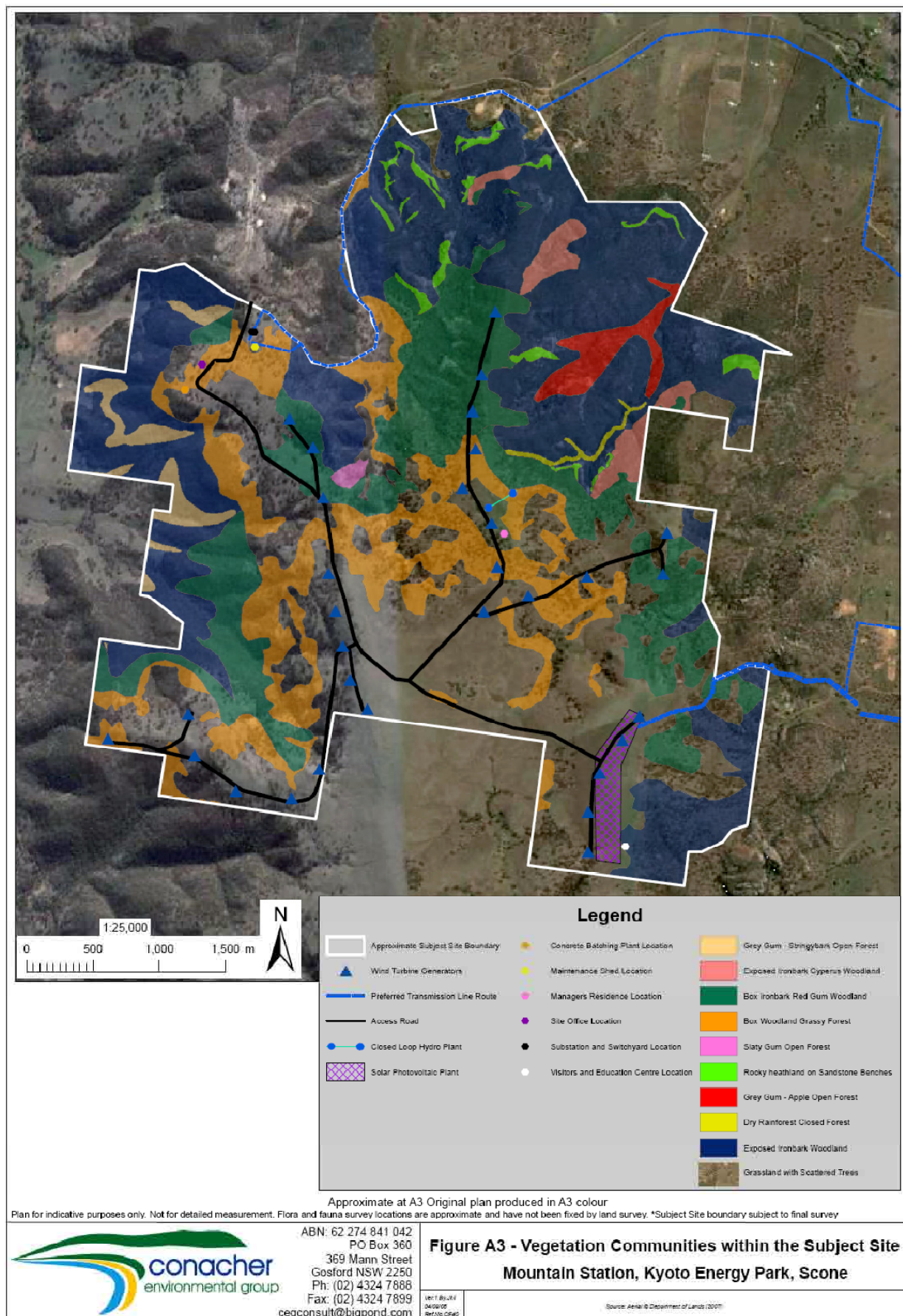


Figure 8.0 Mountain Station Vegetation Communities (Conacher Env Group 2008)

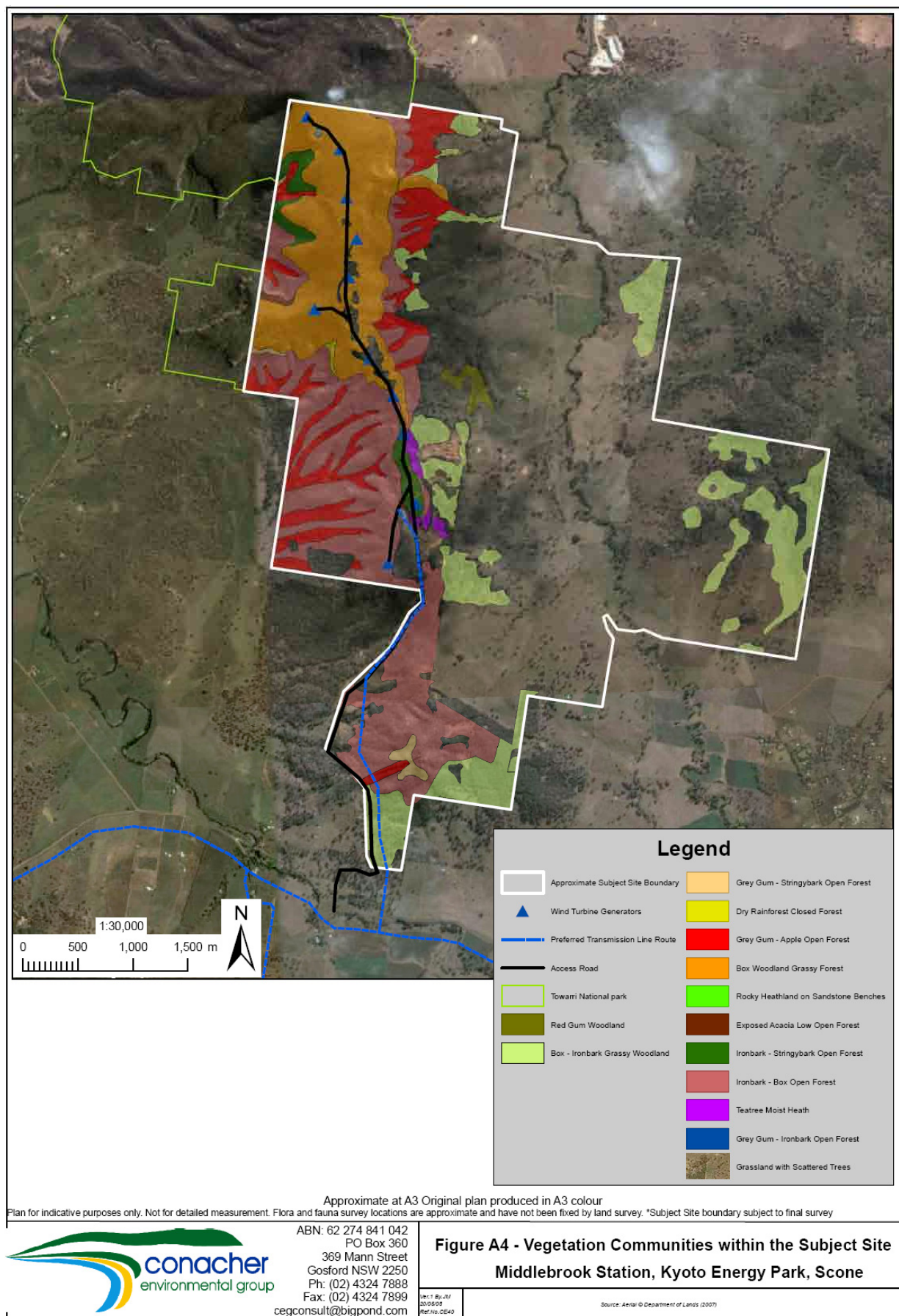


Figure 8.1 Middlebrook Station Vegetation Communities (Conacher Env Group 2008)

One Endangered Ecological Community, White Box-Yellow Box-Blakely's Redgum Grassy Woodlands and Derived Native Grasslands, as listed within the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act), was observed within the subject site. This endangered ecological community occupied approximately 649ha of the subject site and varied from highly disturbed isolated remnants to relatively undisturbed contiguous patches. No threatened flora species were observed within the subject site during surveys undertaken on the subject sites.

In relation to the EPBC Act one threatened fauna species the Grey-headed Flying-fox (*Pteropus poliocephalus*) was observed within the subject site during surveys.

A referral under the EPBC Act was lodged for the subject site on 22 January 2008 to the DEWHA. Additional information was supplied to the DEWHA on 28 February 2008.

On 18 March 2008 the DEWHA deemed this proposal to not be a controlled action. A copy of this correspondence is included in Appendix A(ii) *Notification of Referral Decision – Department of Environment, Water, Heritage and the Arts*.

8.5 Bird Impact Assessment

Conacher Environmental Group undertook a Bird Impact Assessment to quantify the potential impact to local avifauna. This assessment was completed in line with Auswind's *Wind farm's and Bird: interim Standards for Risk Assessment*. A copy of this Assessment is attached (see Appendix A(ii) Bird Impact Assessment (June 2008)).

The systematic assessment undertaken examined the Middlebrook and Mountain Station sites in unison and concentrated on the impact of the wind turbines and their blades specifically. Using known and gathered information on local bird populations and their behaviour, a risk matrix was compiled to determine whether species are in low, medium or high likelihood of movement through the Rotor Swept Area (RSA) of the blades. 'Species of Concern' were then examined for the need for further assessment which was undertaken as required. This includes species listed within the TSC Act or EPBC Acts, and also species that exhibit behaviour that puts them at risk of regular collision with operating wind turbines (Auswind 2005).

Detailed surveys were carried out in April, May, June, August December 2007 and February 2008.

During surveys, there was no presence of any large bird concentrations within either the subject site or the surrounding areas. No wetlands or coastal habitats occur within either the subject site or the surrounding area that could support listed migratory species that may fly across the site. The cleared grazing lands that dominate the upper slopes offer only a limited resource for bird species such as cockatoos, magpies and raptors.

As a result of Level 1 and 2 investigations (in accordance with Auswind guidelines) it was determined that the Wedge-tailed eagle and the Nankeen Kestrel would require further management. Adaptive management was recommended for pre-operational and operational phases as outlined in Section 8.12.2.

8.6 Bat Impact Assessment

Potential Impacts

There were ten bat species recorded within the subject site during surveys. These were:

- Grey-headed Flying-fox (Macro)
- Freetail-bat
- White-striped Freetail-bat
- Goulds Wattled Bat;
- Eastern Bentwing-bat;
- Eastern Cave Bat;
- Yellow-bellied Sheath-tail-bat;
- Long-eared Bat;

- Little Forest Bat;
- Eastern Horseshoe Bat.

Of this total four species (Grey-headed Flying-fox, Eastern Bentwing-bat, Eastern Cave Bat and Yellow-bellied Sheath-tail-bat) are listed as threatened within the Threatened Species Conservation Act (1995). The Grey-headed Flying-fox is also listed on the Environment Protection and Biodiversity conservation Act (1999).

Macro (Megachiropteran) Bats

Grey-headed Flying-foxes congregate in large camps of up to 200,000 individuals, depending on availability of food. No camps are known within the vicinity of the subject site. Observations of this species within the subject site consisted of two individuals flying over the Glen Range (Middlebrook Station). Based on observation during surveys, low numbers of individual Grey-headed Flying-foxes are likely to fly through the subject site as part of foraging or nomadic movements. This species is also likely to forage periodically within the subject site on flowering tree species. The subject site is not likely to be in the regular flight path of any locally occurring colony or camp of Grey-headed flying-foxes. Any collisions are likely to be isolated individuals and, based on the small number of observations of this species, extremely rare.

Monitoring as part of ongoing environmental management will allow for data to be collected on the number and type of and the occurrence of any mortalities each year, should they occur. Full details of the environmental management program are included within Section 8.12.2 and listed in Section 20.6.3 *Draft Statement of Commitments*.

The overhead transmission lines for connection of the Energy Park to the grid, have the potential to impact upon the Grey-headed Flying-fox as this species is known to suffer mortality due to electrocution from power lines. Proposed power line routes for connection to the grid have utilized existing routes where feasible which will reduce potential collision impacts with new power lines. In addition concrete power pole configuration is proposed in preference to traditional cross arm configuration thereby increasing the clearance distant between wires. This will further reduce the impact of power lines on avifauna especially bats.

Micro (Microchiropteran) Bats

The subject site contains suitable habitat types for micro bat species including key habitat types such as tree hollows and caves for roosting and maternity sites. These key habitat types will not be removed as part of the proposal.

The major impact posed by the proposal to micro bat species is though collision with rotor blades. The species most at risk as a result of this proposal would be high flying species foraging upon insects on the ridge tops within the rotor sweep area.

Nine species of micro bat were recorded within the subject site during surveys.

Based on flight behaviour and foraging ecology information the species at most risk of collision are the White-striped Freetail-bat and Yellow-bellied Sheath-tail-bat. Other species are of lesser collision and mortality risk. The risk posed and subsequent population effects is estimated to be low given the low expected incidence of collision and large amounts of suitable habitat available within the local area including Towarri National Park.

Monitoring as part of ongoing environmental management will allow for data to be collected on the number and type of mortalities each year. Full details of the environmental management plan are included within Section 8.12.2 and listed in Section 20.6.3 *Draft Statement of Commitments*.

8.7 Key Habitats and Corridors

Wildlife corridors are links between wildlife habitats, usually intact native vegetation, which link greater areas of vegetation or habitat. They are critical for maintaining ecological processes including the movement of animals and the continuation of viable populations.

The Department of Environment and Conservation (now Department of Environment and Climate Change) has mapped at a regional scale Key Habitats and Corridors in northern NSW to provide a framework of key fauna habitats and linking habitat corridors. There are no areas mapped as corridors present within the subject site. There are regional and sub-regional corridor areas to the east of the site within the ridgelands and rangelands associated with the Glenbawn Dam catchment.

No areas within the site were identified as key habitats within the DEC mapping. The nearest areas are to the east of the New England Highway and Scone.

Areas of the subject site are part of contiguous vegetation that is associated with the rangelands that extend to local National Parks and Nature Reserves. The vegetation within the site shows some connectivity to vegetation within Towarri National Park, adjacent to the northern boundary of Middlebrook Station. The ridgeline and rangeland vegetation also extends to the north to Wingen Maid Nature Reserve and Burning Mountain Nature Reserve.

8.8 Towarri National Park

Towarri National Park covers an area of 5,035 hectares. It borders the northern boundary of Middlebrook Station while a small section, separate from the main body of the park, is located adjacent to the western boundary of Middlebrook Station. There are seven turbines proposed on Middlebrook Station are located within 1km of the National Park, creating a proximity to bird and bat species, within the National Park. Further monitoring for potential impacts shall be included in the Environmental Management Plan for the site.

8.9 Hunter Central Rivers Catchment Action Plan

The Hunter Central River Catchment Action Plan outlines the most important natural resource issues in the region and provides guidelines on how natural resource management and investment should occur. The main threats to resources include:

Population pressure – The Assessment found that the proposal is not likely to result in any significant increase in relation to population pressure.

Lack of awareness and understanding of natural resource management issues – The proposal has been completed in accordance with strict resource management principles. The Kyoto Energy Park and use of renewable fuel sources is by nature a reaction to poor resource management in the past and use and over dependence on non-renewable fuel sources.

Climate change – There will be some use of fossil-fuel powered equipment during the construction phase. During the operational phase, no fossil-fuel powered technology, other than service vehicles will be used. The savings in carbon emissions and other air-borne pollutants will be significant during the operating life of the Kyoto Energy Park generator components (see Section 6.0). The Kyoto Energy Park will also displace the need for mining of fossil fuel derivatives such as oil and gas and associated carbon emissions.

Threats to the land – It is not expected that the proposal poses any significant threat to the land or soils within the subject site. A minimal amount of vegetation will be removed from during construction of the Kyoto Energy Park. Revegetation shall occur in areas around the facilities for visual screening and landscaping.

Threats to groundwater - The proposal is not likely to have any impacts upon groundwater. No groundwater will be removed or polluted as a result of the proposal. No groundwater dependent ecosystems have been identified within the subject site. The groundwater hydrology will not be altered as a result of the proposal.

Threats to rivers – The proposal does not require the removal of any riparian vegetation, construction of barriers to fish movement, damage to fish habitats or changes to river flows. There is a low level risk of pollution from sedimentation which can be managed through sediment control measures.

Threats to estuaries and lakes – There are no estuaries or lakes located within the subject site or local area. There are no potential threats to estuaries and lakes listed within the Catchment Action Plan.

Threats to coastal and marine areas – The subject site is not located in or near a coastal or marine area. The proposal therefore will not result in dune erosion, impact on rocky shelves, nor enhance weed and pest incursion in coastal or marine areas.

Threats to biodiversity Vegetation loss – there are opportunities to offset vegetation losses by improving the quality of retained vegetation or regenerating currently cleared areas around park facilities.

Limited capacity of landholders to protect and improve biodiversity on their land - The proposal is not expected to introduce any new threats to biodiversity, as it will not result in a significant change in the way that the land within the subject site will be managed.

Pests or feral animals - Several pest fauna species were observed within the subject site including the goat, rabbit, brown hare, red fox, dog, common myna and common starling. The proposal is not expected to increase the amount of pest fauna species within the subject site.

Weeds - A variety of weed species, particularly common pasture weeds, were observed within the subject site. The removal of vegetation may encourage the spread of weeds by disturbing soil and allowing more sunlight to reach the ground layer. However weed control programs can be implemented at this site, particularly within and adjacent to areas disturbed as part of the proposal.

8.10 Regional Conservation Implications

Because of its location within the Hunter River catchment, consideration of the *Hunter-Central Rivers Catchment Action Plan (CAP)* is required. The CAP provides guidance on the use, management and conservation of natural resources on a catchment scale. Among those issues addressed by the CAP and relating to the proposed Kyoto Energy Park are vegetation management issues and water and soils quality issues. Additionally climate change is addressed by the CAP and this is of particular importance to the subject site.

In regard to vegetation and soils management, clearing will be minimal and restoration of damaged areas post construction will ensure any disturbance is rectified. Towarri National Park adjoins Middlebrook Station to the North and to the western boundary. Middlebrook Station is the northernmost of the two Kyoto Energy Park sites and it is proposed to contain only 11 of the 42 proposed turbines and no ancillary buildings or significant structures. Use of the existing track network on Middlebrook Station will be used to access the turbine sites and therefore reduce the need for additional impacts. Turbine sites have also where possible located in cleared areas. As such only vegetation and habitat disturbance will be minimal on this site.

A review of the NSW Department of Environment and Climate Change's key habitat corridor mapping identified no regional or sub-regional corridors being present within the subject site.

To protect local stream integrity a range of sediment and erosion controls is proposed where earthworks and disturbance is anticipated. Sediment and erosion control plans will form part of the Environmental Management Plan (EMP) which will also include details such as emergency procedures for events such as accidental fuel spills. These safeguards will ensure the site and the wider catchment are protected during the construction and operational phases.

In relation to climate change the proposed Kyoto Energy Park will play a major role in moving away from fossil fuel dependent energy generation, not only in the Hunter Valley (reknown for its coal fields) but in Australia generally by supporting the adoption of similar technologies on a global scale.

The proposed Kyoto Energy Park represents an important move towards renewable energy and meeting the objectives of the CAP.

Post construction there will be no ongoing disturbance of vegetation or habitat on this site and vehicle access will be limited to a small number of staff and periodic maintenance staff. During construction and in its operating state the energy park will have a negligible impact on the National Park.

8.11 Conclusion

The following conclusions are made.

In relation to the Threatened Species Conservation Act (1995):

- One threatened flora population, *Cymbidium canaliculatum*, was observed within the subject site.
- Seven threatened fauna species, the Glossy Black-Cockatoo, Grey-crowned Babbler, Spectacled Warbler, Grey-headed Flying-fox, Yellow-bellied Sheath-tail-bat, Eastern Bentwing-bat and Eastern Cave Bat, were observed within the subject site.
- One Endangered Ecological Community, White Box - Yellow Box - Blakely's Red Gum Woodland, was observed within the subject site. The proposal is likely to require the removal of a maximum of approximately 5.9ha (3.6 ha Middlebrook Station, 2.3 ha Mountain Station) or 0.7% of the community within the sites for the upgrading of the vehicle access tracks and construction of the wind turbines envelopes and components.
- A 7-part test completed for the proposal in accordance with the Threatened Species Conservation Act (1995) and Section 5A of the Environmental Planning and Assessment Act (1979) concluded that the proposed development was not likely to have a significant impact upon threatened species, endangered populations or endangered ecological communities and a Species Impact Statement should not be required for the proposal.

In relation to the Environment Protection and Biodiversity Conservation Act (1999):

- One threatened fauna species, the Grey-headed Flying-fox, was observed within the subject site. This endangered population will not be affected by the proposal, and therefore it is considered that the proposal will not have an adverse affect on this species;
- One Endangered Ecological Community, White Box-Yellow Box-Blakely's Redgum Grassy Woodlands and Derived Native Grasslands, was observed within the subject site.
- The proposal was referred to the Department of Environment, Water, Heritage and the Arts in accordance with the Environmental Planning and Assessment Act (1999). The department deemed the proposal to not be a controlled action on 18 March 2008.
- The proposal will include an Environmental Management Plan during the construction and operation phases of the development. A key feature of the Environmental Management Plan will be an Adaptive Management Program for the Wedge-tailed Eagle and Nankeen Kestrel. Monitoring of bird and bat species will also be undertaken for bird and bat species during operation of the Energy Park.

8.12 Environmental Management Plan

An Environmental Management Plan is to be prepared for the site will include:

8.12.1 EEC Vegetation Offset Strategy

A Vegetation Offset Strategy will be prepared to compensate for removal of the Endangered Ecological Community (EEC) within the limits of the site for the upgrading of the vehicle access tracks and construction of the wind turbines envelopes and other facilities during access and construction.

Areas of the endangered ecological community (EEC) shall be protected and retained during construction and operation phases of the project. Preparation of an EEC vegetation offset strategy which will be addressed within the EMP. Based on preliminary site layout plans the proposal is likely to require the removal of a maximum of 5.9 hectares of White Box - Yellow Box - Blakely's Red Gum Woodland. This consists of a maximum of 3.6 hectares within Middlebrook Station and 2.3 hectares on Mountain Station of the Box Woodland Community. Approximately 640 hectares of this endangered ecological community will be retained within the site.

The size of the offset area shall be 200% of the total area of removed or disturbed EEC vegetation during stages of construction, up until a maximum area of 5.9 Ha. Given the large size of the site there are more than adequate opportunities for offsetting within the site.

Existing access tracks are to be upgraded and shall be used to minimise vegetation removal.

A sedimentation and Erosion Control Plan shall be used to minimize soil erosion and sedimentation risk.

Weed control programs can be implemented at this site, particularly within and adjacent to areas disturbed as part of the proposal.

8.12.2 Bird and Bat Adaptive Management Plan

Adaptive management is a management style that allows actions to be responsive to monitoring outcomes. An adaptive management program will be implemented for the Kyoto Energy Park. The management program for the subject site is briefly outlined in this section, and will be described in detail in the Operational Environmental Management Plan (OEMP) to be prepared for the site. Ecological management for the proposed development will occur in two stages:

1. Pre-operational
2. Operational

Pre-operational and operational phases of the development must meet Best Practice Guidelines for wind Energy projects (AusWEA 2002).

Stage 1 - Pre Operational

Ecological management during the pre-operational phase will further involve a Level 3 assessment of direct and indirect bird impacts in accordance with Auswind guidelines (Auswind 2005), including:

- analysis of population viability for impacted species;
- Estimates of the level of risk of significant bird impacts;
- Baseline data for use in operational phase monitoring of impacts;
- Information for use in the design of risk mitigation measures

Stage 2 – Operational

Ecological management during the operational phase will aim will to continually assess the impact of wind turbines on aerial fauna through monitoring as per Auswind guidelines (Auswind 2005). Species of Concern identified in the Pre-operational Management Phase will be targeted. Monitoring will involve dead bird and bat searches (should they occur), indirect disturbance impact assessment and avoidance behaviour studies.

Operational phase assessment will be conducted in a BACI (Before-After-Control-Impact) experimental style. Assessment aims will be to:

- Determine the difference in bird and bat fauna abundance and diversity within the subject site before and after installation of wind turbines;
- Determine the difference in bird and bat fauna utilisation of the subject site before and after installation of wind turbines;
- Assess population viability of impacted species.

Other measures which will be adopted as part of the OEMP include mitigation measures to reduce impacts to avifauna such as:

- Stopping any visitors feeding bird within the Park;
- Any screening and landscaping in close proximity to wind turbines will not include specific habitat of feed species;
- Any grain feeding of stock will be well away from wind turbines on flats;
- Control of vermin (e.g. rabbits) on site will reduce attractiveness to birds of prey,
- Balls and/or flags will be used on overhead wires;

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