

# Kiar Battery Energy Storage System (BESS)

Application Number: **02958**

Commencement Date:  
**11/06/2025**

Status: **Locked**

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## 1. About the project

### 1.1 Project details

#### 1.1.1 Project title \*

Kiar Battery Energy Storage System (BESS)

#### 1.1.2 Project industry type \*

Energy Generation and Supply (renewable)

#### 1.1.3 Project industry sub-type

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#### 1.1.4 Estimated start date \*

01/12/2026

#### 1.1.4 Estimated end date \*

30/06/2028

## 1.2 Proposed Action details

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

The project involves the construction, operation and decommissioning of a grid scale battery energy storage system (**BESS**) with a discharge capacity of approximately 1,000 megawatt (**MW**) and storage capacity of approximately 4,000 megawatt hours (**MWh**) and associated new switchyard and cut-in to the existing 330kV high voltage transmission line running through the site.

The main project elements are (see Att. 2 Scoping Report, pp28-29):

- Battery Energy Storage System compounds comprising rows of enclosed battery modules connected to associated power conversion systems (**PCS**) and high voltage (**HV**) reticulation equipment.
- Switchyard including transformers and 33/330kV substation.
- Transmission line cut-in and connection to the existing 330kV overhead transmission line passing through the site.
- Control room, safety systems and site ancillary infrastructure including parking, storage, maintenance and offices.
- Associated water infrastructure, if required, such as on site fire water storage and water stilling basins.
- Access road from Hue Hue Road and/or Kiar Ridge Road (to be confirmed)
- Fencing and landscaping

The boundary of the total Project site area under investigation is approximately 110 ha. Within this, the area of the disturbance footprint for project components is anticipated to be approximately 40 ha, subject to the final design and layout, including the transmission line cut-in and access road.

During the construction phase, the main activities would include:

- Establishment of road access points into the site from Hue Hue Road and/or Kiar Ridge Road
- Establishment and maintenance of environmental controls.
- Transportation to the site of construction plant such as earthmoving equipment, compaction equipment, trenching and excavation equipment, forklifts, cranes and materials unloading and handling equipment.
- Transportation to the site of temporary construction equipment and materials such as site offices, facilities, temporary fencing, safety and environmental management equipment and materials.
- Clearing of vegetation.
- Cut and fill earthworks and construction of hardstand pads.
- Civil works to construct slabs and footings for the equipment and buildings.
- Delivery of materials and equipment associated with the earthworks and civil works phases which would include materials such as sand, road base, road drainage and culverts, gravel and pavements, engineered fill materials, concrete, reinforcing steel, formwork, electrical, communications, water and drainage conduits.
- Delivery of the long term project equipment and facilities which would include the enclosed battery modules units, power conversion system units, ring main units, transformers, electrical cabling and reticulation equipment, mechanical equipment, switchgear, ventilation, heating, control and safety systems, fire fighting equipment, prefabricated offices, workshop/maintenance/storage structures, security fencing and landscaping.
- Installation and fit out of all equipment.
- Testing and commissioning.
- Installation of buildings, fencing and other minor ancillary works.
- Removal of construction waste, construction plant and equipment, temporary construction facilities and rehabilitation of construction areas.
- Landscaping.

During the operational phase, the main activities would include:

- Normal daily operation of the BESS for storage and supply of electrical energy to the National Electricity Market (NEM)

- Planned and unplanned maintenance activities

At the end of its operational life, the Project would be decommissioned, during which above ground components of the project would be removed and transported to appropriate offsite locations for re-purposing or recycling where possible or else waste disposal. Land utilized or impacted by the Project would then be appropriately rehabilitated in consultation with the relevant landowners.

The project 's tenure to the area is a commercial lease arrangement, entered into with land owners who own the land as Freehold tenure.

**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? \***

## **SSD-86051481 (see Link - NSW Major Projects)**

(see Att 2 Scoping Report, pp31-33)

### Power to grant consent

The Project meets the threshold for State Significant Development (SSD) under Part 4 of the EP&A Act. Approval for the Project will be sought under Part 4, Division 4.7 of the EP&A Act.

Under Clause 2.6 of the State Environmental Planning Policy (Planning Systems) 2021,

(1) Development is declared to be State significant development for the purposes of the Act if—

(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and

(b) the development is specified in Schedule 1 or 2.

Under Schedule 1, Clause 20 of the State Environmental Planning Policy (Planning Systems) 2021, Development for the purpose of electricity generating works or heat or their co-generation (using any energy source, including gas, coal, biofuel, distillate, waste, hydro, wave, solar or wind power) that—

(a) has a capital investment value of more than \$30 million, or

(b) has a capital investment value of more than \$10 million and is located in an environmentally sensitive area of State significance.

The Project meets the definition of ‘electricity generating works’ and it has a capital investment value exceeding \$30 million and is therefore SSD.

The consent authority for the Project is therefore the NSW Independent Planning Commission or the NSW Minister for Planning.

### Permissibility

Central Coast Council LEP 2022

The Project is located within the Central Coast Council LGA. The relevant environmental planning instrument is the Central Coast Council Local Environmental Plan 2022 (LEP 2022). The Project land is wholly located on land zoned RU6 – Transition. Development for the purpose of electricity generating works is permissible with consent in the RU6 zone.

Project meets the definition of ‘electricity generating works’ as defined in the LEP 2022.

electricity generating works means a building or place used for the purpose of—

(a) making or generating electricity, or

(b) electricity storage.

The site of the Project facilities including the substation and network connection is wholly located within land zoned RU6 – Transition. The site is located within the Central Coast Council LGA. Under the Central Coast Council LEP 2022, development for the purpose of electricity generating works is permissible with consent on land zoned RU6 Transition. Further, the State Environmental Planning Policy (Transport and Infrastructure) 2021 provides for ‘electricity generating works’ to be carried out on any land in a prescribed non-residential zone. Therefore, the Project is permissible with consent.

### Other approvals

Consistent Approvals

#### • Environmental Protection Licence

It is anticipated that an environment protection licence (EPL) will be required under the Protection of the Environment Operations Act 1997 (POEO Act). If this is required, it would be obtained prior the Project commencing.

#### • Roads Act

Under the Roads Act 1993, Section 138, approval is required to permit the erection of a structure or carry out a work in, on or over a public road. This would be obtained as part of the SSD DA approval. It is anticipated that the Project would involve an upgrade of the existing road access connections to the properties from Hue Hue Road. Access via Kiar Ridge Road may also be considered during the EIS phase

depending upon the results of detailed stakeholder consultation and agreement for access. The impact assessment of traffic volumes and design of the turnoffs from Hue Hue Road and Kiar Ridge Road will be assessed and identified in the EIS, including with consultation with Transport for NSW and the Central Coast Council.

#### EPBC Act Approval

Under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), any action which could have a significant impact on Matters of National Environmental Significance (MNES) must be referred to the Federal Minister for the Environment and Energy. A March 2025 search of the Commonwealth Protected Matters Search Tool (PMST) identified 3 threatened ecological communities and 91 threatened species may occur within a 5km buffer of the Project area.

There are no matters of national significance identified on the site.

Biodiversity assessments covering the land proposed to be included in the Project footprint will be completed during the EIS. It is currently anticipated that a referral relating to the Project under the EPBC Act would be made to the Commonwealth Department of Agriculture, Water and Environment.

#### Other Approvals

- Native Title

The Native Title (New South Wales) Act 1994 provides for native title in relation to land or waters. The Project does not affect land that is subject to a native title claim or determination nor to which an Indigenous Land Use Agreement applies.

- Water Access Licences

Water sources for the construction and operation of the Project will be identified and detailed within the EIS. If it is determined that a water access license or approvals is required, it would be obtained prior to the commencement of construction.

- Land Lease

Land access agreements have been entered into with the owners of the affected land.

- Network Connection

Agreements for the Project to connect to the NEM would be progressed with Transgrid separately.

#### Approvals not required for SSD

Under Section 4.41 of the EP&A Act, the following approvals are not required for an SSD development:

- (a) (Repealed)
- (b) a permit under section 201, 205 or 219 of the Fisheries Management Act 1994,
- (c) an approval under Part 4, or an excavation permit under section 139, of the Heritage Act 1977,
- (d) an Aboriginal heritage impact permit under section 90 of the National Parks and Wildlife Act 1974,
- (e) (Repealed)
- (f) a bush fire safety authority under section 100B of the Rural Fires Act 1997,
- (g) a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the Water Management Act 2000.

#### Pre-conditions to exercising the power to grant consent

The EIS will be prepared in accordance with the relevant legislative requirements and guidelines. No pre-conditions to exercising the power to grant approval have been identified for the Project.

#### Mandatory matters for consideration

The applicability of the following legislation to the Project would be determined in the EIS.

Biodiversity Conservation Act 2016

The EIS for the Project will include an assessment of biodiversity impacts in accordance with the Biodiversity Conservation Act 2016 a. A Biodiversity Development Assessment Report (BDAR) will be required.

#### Biosecurity Act 2015

The Biosecurity Act may be applicable if listed weeds are identified within the Project site.

#### National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 details the care, control, governance and management of national parks, nature reserves, Aboriginal and historic sites. The Project land does not include any land reserved under this act. Impacts to biodiversity and heritage will be assessed in the EIS.

#### Heritage Act 1977

There are no sites listed on the NSW State Heritage Inventory in the vicinity of the Project site.

#### Rural Fires Act 1997

The Project site is mapped as containing category 1 bushfire prone vegetation which is considered a high bushfire risk. Potential risks associated with bushfires would be assessed in the EIS. As part of the EIS, consultation would be undertaken with the NSW Rural Fire Service (RFS).

#### Contaminated Land Management Act 1997

This Act outlines the process in which notification of the NSW Environment Protection Authority (EPA) is required in relation to contaminated land. Preliminary investigations have not identified the existence of any contaminated land at the Project site.

#### Waste Avoidance and Resource Recovery Act 2001

Management practices as required by the Waste Avoidance and Resources Recovery Act 2001 would be included in the EIS.

#### State Environmental Planning Policy (Resilience and Hazards) 2021

The EIS would include a preliminary hazard analysis (PHA) prepared in accordance with the State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP), and other guidelines such as Multi-Level Risk Assessment and Applying SEPP 33.

**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. \***

(see Att. 2 Scoping Report, pp34-38)

Engagement to date has included consultation with the Central Coast Council staff, relevant NSW government planning agencies and direct neighbours. General information about the project has been made publicly available on the project webpage. Detailed consultation will continue with council, neighbours, the community, Indigenous groups (including the local Darkinjung Local Aboriginal Land Council), other relevant stakeholders and agencies to ensure they are informed about the details and potential impacts of the Project as it progresses, and to understand any concerns that may exist and work to address and manage them.

BID's approach to stakeholder engagement and consultation is to ensure:

- Clear and accurate information about the Project is available to interested stakeholders.

That this information is regularly updated as the Project progresses.

- That constructive and enduring working relationships are established and maintained with stakeholders.
- That stakeholder communication channels are created and maintained, and
- feedback on the Project details is sought and incorporated where relevant and appropriate.

To date BID has:

- Established and maintained a public webpage with information about the Project.
- Informed and commenced consultation process with the relevant Central Coast Council staff.
- Informed (via a scoping meeting) and commenced engagement with the Department of Planning, Housing and Infrastructure
- Informed and commenced the consultation process with the Hunter Central Coast branch of the NSW Government Conservation Programs, Heritage and Regulation Group (CPHR). The initial consultation meeting focused primarily on biodiversity impacts.
- Informed and sought feedback from the only direct neighbour, Wyong Coal who owns the land to the north, east and south of the site. Engagement has been via email and registered post although no response has yet been received. Informed the Buttonderry Waste Management Facility which is located opposite the site on Hue Hue Road. This has also included a face-to-face meeting and briefing about the proposed project.
- Informed and sought engagement with the local representative to the NSW Parliament, and the representative to Federal Parliament.
- Informed and commenced engagement with Transgrid, the TNSP for the connecting transmission line.

BID will continue to engage with council, neighbours, the community, Indigenous groups, other relevant stakeholders and agencies to ensure they are informed about the details and potential impacts of the Project as it progresses, and to understand any concerns that may exist and work to address and manage them.

## **Stakeholder Engagement to Date**

### **Central Coast Council**

Introductory meeting held 17 March 2025. The Pre-DA format meeting included key planning, development and environmental staff. Discussion included definition of the use and permissibility, access, site layout and development footprint, waste management, biodiversity and heritage.

Further specifics on the key feedback received from Council and where these have been addressed at this stage are provided as follows:

- The site is partially impacted by flood modelling. This is associated with the streamlines traversing mainly the eastern side of the site, and these areas have been avoided in the proposed development

footprint.

- The site is located within Mine Subsidence Guideline 6 area. Subsidence Advisory NSW have separately been contacted by the project team to commence the process of engagement as a stakeholder.
- The site is located within a Bushfire prone land area
- Any signage proposed as part of the development is required to address the provisions outlined within the Statement Environmental Planning Policy (Industrial and Employment) 2021. Details of any proposed signage is required to be provided on the submitted architectural plans.
- The objectives of RU6 Transition Zone in the Central Coast Council LEP as well as the Central Coast DCP were raised, which will be addressed in the EIS stage.
- Water and sewer is not available at the site, this will noted in the detailed design of the project and the EIS stage.
- The Council noted the vegetated nature of the site and their expected requirements for detailed biodiversity and ecological studies during the EIS.
- Council requests the EIS demonstrate via a Crime and Safety report how the proposal has been designed with consideration of the Crime Prevention through Environmental Design (CPTED) strategies relating to surveillance, access control, territorial reinforcement, and space management.
- Council requests the proposed development is to comply with the provisions of the SEPP (Resilience and Hazards) 2021 and SEPP (Biodiversity) 2021 that are relevant to the Project. This will be addressed during the EIS stage.

#### **DPHI**

Introductory meeting held on 26 March 2025. Discussion included preliminary feedback of the Department's expectations for how proponents should approach the key planning and consents matters as well as stakeholder engagement for BESS projects in general. Preliminary project specific feedback was received in relation to ecology, hazard and risk, heritage and traffic.

#### **CPHR**

Introductory meeting held 30 April 2025. The CPHR team were appreciative of the early collaboration and are keen to remain in touch regarding development of the project scope and findings during the detailed studies of the EIS phase. The team noted the challenges and potential impacts of the site's biodiversity constraints.

#### **Primary host landowners**

Extensive discussions held with host landowners

#### **Directly surrounding neighbours**

The project has only one directly adjacent neighbour (additional to the road easement for Hue Hue Road).

The properties to the north, east and south are owned by a single owner being entities controlled by Wyong Coal. Introductory information has been sent to this neighbour by registered post and emails beginning October 2024. An introductory phone call was held in May 2025. Further engagement and detailed consultation is intended at the neighbour's convenience.

#### **Buttonderry Waste Facility**

The site is bounded to the west by Hue Hue Road. The Buttonderry Waste Management Facility is located opposite the site on Hue Hue Road, - see engagement details in Buttonderry row of this table.

Initial discussion held with Central Coast Council Waste and Resource Recovery in August 2024.

Project introductory letter sent on 17 March 2025

Project presentation and Q&A discussion held on site at Buttonderry on 30 April 2025

Overall the feedback to date on the proposed project from the Buttonderry Waste Management Facility has been positive with specific questions in relation to road access during construction which will be addressed in the traffic management plan.

#### **Broader community**

Website created January 2025

#### **Transgrid**

Introduction to the project and initial consultation meeting held 7 April 2025

#### **Subsidence Advisory NSW**

Introduction to the project provided by email beginning 18 March 2025

## 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.

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Alternatively, email us at [privacy@awe.gov.au](mailto: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** 66627181453  
**Organisation name** MJD ENVIRONMENTAL (AUST) PTY LTD  
**Organisation address** 2292 NSW

Referring party details

**Name** Matthew Doherty  
**Job title** Director  
**Phone** 0240549539  
**Email** info@mjdenvironmental.com.au  
**Address** PO Box 360 Waratah NSW 2298

## 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? \***

No

**1.3.2.2 Is Person proposing to take the action an organisation or business? \***

Yes

Person proposing to take the action organisation details

**ABN/ACN** 99658636849  
**Organisation name** BID ENERGY PARTNERS PTY LTD  
**Organisation address** 2041 NSW

Person proposing to take the action details

**Name** Dan Coutts  
**Job title** Director  
**Phone** +61409983717  
**Email** Dan.coutts@bidenergypartners.com  
**Address** PO Box 108 Balmain NSW 2041

**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. \***

BID Energy Partners Pty Ltd has a satisfactory record of responsible environmental management. BID Energy Partners Pty Ltd and its directors have no history of environmental proceedings under any Commonwealth, State or Territory law.

**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**

BID Energy Partners Pty Ltd does not hold a specific Environmental Policy and Framework, any Environmental Management undertaken by Roche Group Pty Limited is done so in accordance with a relevant Plan of Management or in accordance with approval conditions (State concurrence or local).

**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** 99658636849  
**Organisation name** BID ENERGY PARTNERS PTY LTD  
**Organisation address** 2041 NSW

Proposed designated proponent details

**Name** Dan Coutts  
**Job title** Director  
**Phone** +61409983717  
**Email** Dan.coutts@bidenergypartners.com  
**Address** PO Box 108 Balmain NSW 2041

## 1.3.4 Identity: Summary of allocation

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## ✔ Confirmed Referring party's identity

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

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ABN/ACN	66627181453
Organisation name	MJD ENVIRONMENTAL (AUST) PTY LTD
Organisation address	2292 NSW
Representative's name	Matthew Doherty
Representative's job title	Director
Phone	0240549539
Email	info@mjdenvironmental.com.au
Address	PO Box 360 Waratah NSW 2298

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## ✔ 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.

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ABN/ACN	99658636849
Organisation name	BID ENERGY PARTNERS PTY LTD
Organisation address	2041 NSW
Representative's name	Dan Coutts
Representative's job title	Director
Phone	+61409983717
Email	Dan.coutts@bidenergypartners.com
Address	PO Box 108 Balmain NSW 2041

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## ✔ 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.

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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)?

Yes

### 1.4.2 Select reason for exemption

Small Business

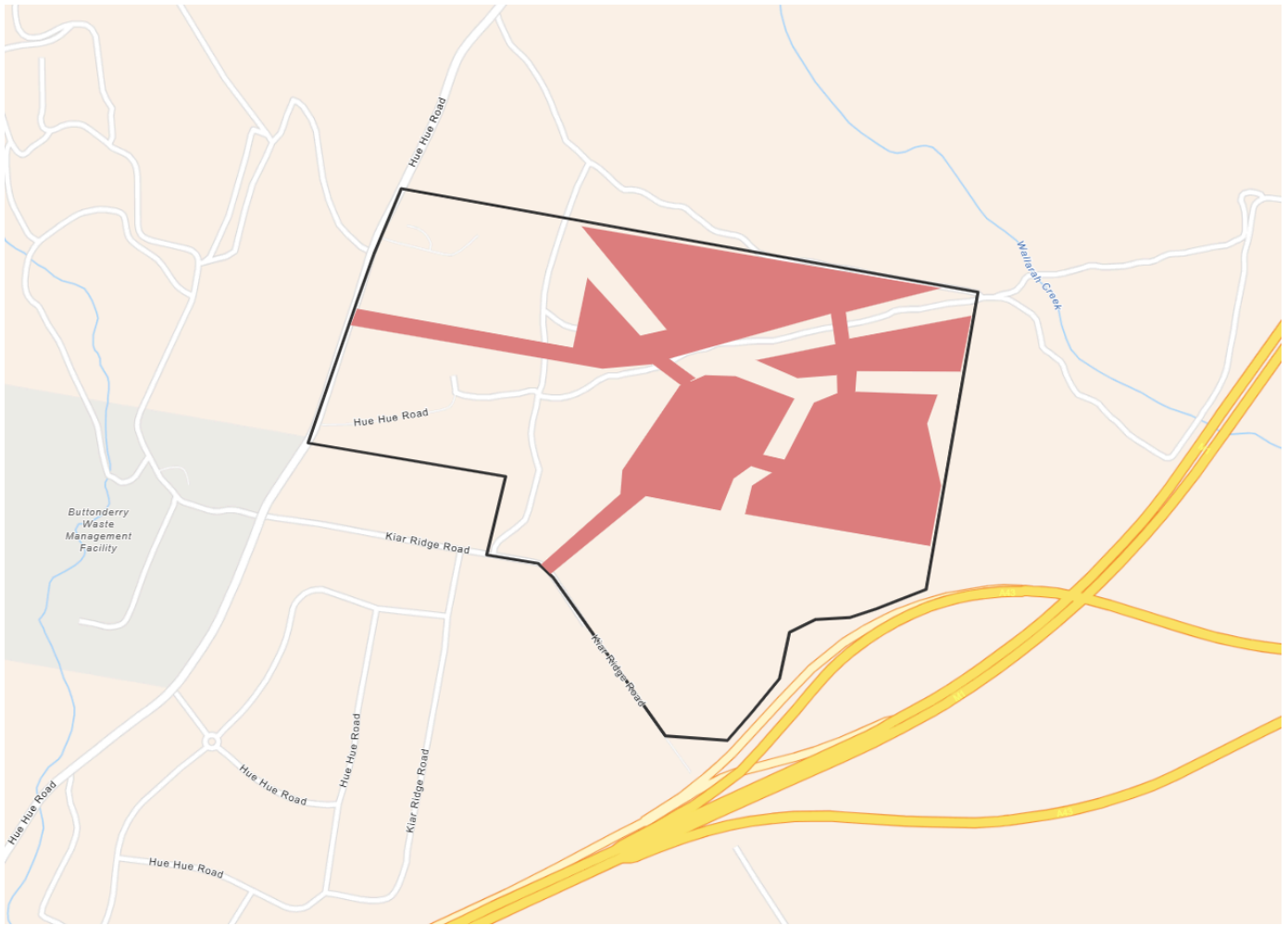
## 1.4 Payment details: Payment allocation

### 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: 112.25 Ha Disturbance Footprint: 37.94 Ha**

## 2.2 Footprint details

### 2.2.1 What is the address of the proposed action? \*

847-893 Hue Hue Road, Kiar NSW (Lot 2-3 DP 719762), possible access via 85 Bushells Ridge

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

New South Wales

### 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 project 's tenure to the area is a commercial lease arrangement, entered into with land owners who own the land as Freehold tenure

## 3. Existing environment

## 3.1 Physical description

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

The Project Area, including the network connection, sits wholly within the Central Coast Council LGA.

The Project Area is within the locality of Kiar, NSW, 2.5km north of Warnervale Airport.

The Project Area comprises two adjoining freehold lots located on Hue Hue Road. The Pacific Motorway runs approximately 500m to the east and south.

The lots both have residential dwellings fronting Hue Hue Rd, and also operate as commercial enterprises. The Lots are zoned RU6 Transition.

Transgrid's 330kV overhead transmission line 2M runs east-west through the properties, with an associated easement. Four transmission line towers are located within the subject properties.

The Project Area is vegetated, with the exception of cleared areas covering the transmission line easement, dwellings and commercial structures associated with the lot owners and various access tracks through the lots.

The site has a varied history of disturbance, with evident selective logging occurring primarily in the first half of the 20th century leaving large areas relatively sparse, with a mixture of late regrowth and open woodland.

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

Existing land uses of the Project Area include private rural residential land also utilised for commercial premises. The majority of the Lots are unutilised, except as recreational land for the residents. A 60m wide easement running east-west through both lots accommodates a 330kV transmission line managed by Transgrid.

The Proposed use of the Project Area will be a partial commercial lease of the freehold land to establish a grid-scale battery energy storage system (BESS) and associated switchyard for connection to the 330kV transmission line.

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

No wilderness or heritage areas occur within the Project Area. Olney State Forest occurs 2km north-west of the Project Area.

While the Project Area is not considered to comprise any unique values, it contains native vegetation in a relatively stable and resilient condition. No ecological communities listed under the EPBC Act occur on the Project Area.

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

The topography of the subject lots rises in the middle with a ridgeline running in the north south direction. Elevation peaks at 72m AHD, sloping away to the east and west, with low points at 23m and 25m AHD, respectively. Gradient ranges from 0-20deg, peaking mid-slope below the ridge.

Four first order streams and one second order stream traverse the site.

## 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.**

Preliminary appraisal of the vegetation communities on the site have identified at least 3 PCTs most likely represented by

- 3433 Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest
- 3432 Hunter Coast Foothills Apple-Ironbark Grassy Forest
- 3242 Lower North Ranges Turpentine Moist Forest

The vegetation in the Project Area includes hollow bearing trees, ground debris (logs etc), riparian areas.

Preliminary appraisal included delineation of vegetation communities and BAM plots over March and April 2025 by MJD Environmental. No targeted threatened species surveys have been conducted, however are proposed and will be required for assessment per Referral Section 1.2.6.

These vegetation communities in this locality have the potential to support wide range of fauna and flora species including MNES.

A range of studies in the locality associated with applications for industrial development and extractive resources have resulted in a high density of records available via the NSW BioNet Atlas (accessed 3/12/2024).

#### **MNES previously recorded (1,500m buffer to site)**

- *Melaleuca biconvexa* (Biconvex Paperbark)
- *Pteropus poliocephalus* (Grey-headed Flying-fox)
- *Mixophyes iteratus* (Giant Barred Frog, Southern Barred Frog)
- *Calyptorhynchus lathami lathami* (South-eastern Glossy Black-Cockatoo)
- *Hirundapus caudacutus* (White-throated Needletail)
- *Litoria aurea* (Green and Golden Bell Frog)
- *Angophora inopina* (Charmhaven Apple)
- *Petaurus australis* (Yellow-bellied Glider (south-eastern))
- *Chalinolobus dwyeri* (Large-eared Pied Bat, Large Pied Bat)
- *Grevillea parviflora* subsp. *parviflora* (Small-flower Grevillea)
- *Tetratheca juncea* (Black-eyed Susan)
- *Genoplesium insigne* (Wyong Midge Orchid 1, Variable Midge Orchid 1)
- *Thelymitra adorata* (Wyong Sun Orchid)
- *Eucalyptus camfieldii* (Camfield's Stringybark)

#### **MNES likely to occur in the Project Area**

Based on preliminary appraisal, further investigation is required to determine the presence of the following MNES:

- *Acacia bynoeana* (Bynoe's Wattle, Tiny Wattle)
- *Anthochaera phrygia* (Regent Honeyeater)
- *Callocephalon fimbriatum* (Gang-gang Cockatoo)
- *Climacteris picumnus victoriae* (Brown Treecreeper (south-eastern))
- *Cryptostylis hunteriana* (Leafless Tongue-orchid)
- *Dasyurus maculatus* (Spotted-tail Quoll)
- *Genoplesium branwhiteorum* (null)
- *Hirundapus caudacutus* (White-throated Needletail)
- *Lathamus discolor* (Swift Parrot)
- *Petauroides volans* (Greater Glider (southern and central))
- *Rutidosia heterogama* (Heath Wrinklewort)
- *Syzygium paniculatum* (Magenta Lilly Pilly)
- *Notamacropus parma* (Parma Wallaby)
- *Potorous tridactylus tridactylus* (Long-nosed Potoroo (northern))

- *Thesium australe* (Austral Toadflax, Toadflax)

### **Proposed Studies**

the Project assessment process will be supported by the preparation of a Biodiversity Development Assessment Report under the NSW BC Act (2016), and associated threatened species surveys under the Biodiversity Assessment Method (2020). Any residual impacts to biodiversity values or MNES would be offset by the retirement of Biodiversity Offset Credits under the NSW Biodiversity offset Scheme (BOS).

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

The project area is located in undulating foothills at low (20-70m) elevation. The site is generally vegetated by remnant wet and dry sclerophyll forest and woodland. The site has a varied history of disturbance, with evident selective logging occurring primarily in the first half of the 20th century leaving large areas relatively sparse, with a mixture of late regrowth and open woodland. A network of major and minor tracks traverse the property, both associated with the transmission easement and occupational activity.

Low-lying areas are relatively undisturbed and host tall, moist forest with very tall emergent eucalypts. These areas include dense shrub layers on ephemeral wet substrates, and macrophyte vegetation in association with watercourses and minor floodplains.

Exotic vegetation is generally restricted to track margins and the managed easement, and mainly comprises exotic tussock and rhizomatous grasses.

No fires have been recorded on the *NPWS Fire History - Wildfires and Prescribed Burns Dataset* (NSW DPIE 2010), however informal or unmonitored fires are likely to have occurred as rough-barked eucalypt species retain scorched bark and large areas lack woody debris despite no signs of logging.

Vegetation is connected through the landscape in the north and south, and the east as far as the M1 Pacific Motorway (approx. 500m from site).

Geology is primarily Triassic Narrabeen Group sandstone, with claystone and siltstone. Soils are Yellow Podzolics primarily of the Tuggerah formation. In the east, low lying land grades into unconsolidated alluvial clay, silt, sand, and gravel deposits associated with Wallarah Creek.

Vegetation on the site occurs as at least 3 PCTs, described below.

#### 3433 Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest

The PCT occurs primarily as open woodland, with a varied age cohort. High levels of late regeneration associated with selective logging. Ground layer assemblage dominance varies by landscape position and soil moisture. Occurs both on footslopes/flats and on mid-slopes and ridges (the latter generally outside the subject land). Low abundance of tree hollows or large, mature trees. Soil is a moderately deep sandy clay.

No EPBC Act listed ECs associated with the PCT

#### 3432 Hunter Coast Foothills Apple-Ironbark Grassy Forest

The PCT exists in a range of condition states, from open woodland to forest and with a range of shrub dominance formations, ground layer dominance driven by soil moisture and landscape position, and degree of historical disturbance. Moderate abundance of tree hollows and large, mature trees. Soil is sandy clay-loam, moderately well-draining and shallow.

No EPBC Act listed ECs associated with the PCT

#### 3242 Lower North Ranges Turpentine Moist Forest

The PCT generally occurs as a single condition state, occupying low-lying riparian corridors within the subject land as a closed forest. Intergrades deeply with other communities near lower order streams. Ground layer generally limited outside of riparian areas. In riparian areas, dense ground layer of macrophytic species dominated by *Gahnia* (Saw-sedge). Moderate abundance of hollow bearing and large, mature trees. Soil is a moderately deep loam with high humus content.

No EPBC Act listed ECs associated with the PCT

## 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.

No Commonwealth heritage places were nominated by the Protected Matters Search Tool with a 10km buffer from the Project Area (accessed 22/11/2024). No World heritage, National heritage or Commonwealth Heritage Places Overseas occur within the buffer area.

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

(see Att 2 Scoping Report, pp54-55)

The Aboriginal Heritage Information Management System (AHIMS) is a database that contains information about Aboriginal objects and places in NSW, including site records and cultural heritage assessment reports. If an Aboriginal object is found that is not already recorded on the Aboriginal Heritage Information Management System (AHIMS) database, it is a requirement under s.89A of the NPW Act to notify Heritage NSW of the object's location.

An extensive search of the AHIMS database was undertaken on 29 November 2024 (Client ID: 955743). The search identified a total of 74 sites within a 4 km buffer from the centroid of the study area. There is one registered site located within the boundaries of the study area, WC-IF 1 (#45-3-3316). WC-OS 1 (#45-3-3317) and WC-ST 1 (#45-3-3315) are adjacent to the eastern boundary of the property, the current project design does not impact these sites.

The results of the AHIMS search database in combination with the evidence from the field assessment, landscape features and the aerial imagery indicate that there is potential for undisturbed archaeological deposits to be present within the study area. Surface Aboriginal artefacts and culturally modified trees are also likely to be present within the study area.

It is likely that the SEARs for the project will call for the compilation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the project. Given the results of the preliminary assessment conducted for the study area, it is likely that a program of field survey with RAPs and a program of test excavation would be required as part of the ACHAR assessment. The findings to date would not be considered a fatal flaw for the project, these findings are similar to other comparable sites in this region. The process of engagement and field survey with the RAPs and the detailed ACHAR will detail the cultural heritage impacts for the project and may require mitigation measures.

## 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. \*

Stormwater from the Project area drains towards the east. The subject properties largely cover the origination of this catchment, with minimal to no stormwater flowing into the Project area from neighbouring properties.

The study area is located within the Tuggerah Lakes catchment in the Central Coast region, with Budgewoi Lake occurring approximately 6 km to the east. The subject land includes waterbodies in the form of a 2nd Strahler Order, natural, nonperennial watercourse running west to east from the middle of the subject land. Several 1st order tributaries join this larger watercourse, originating to the west and south. The subject land contains no permanent waterbodies; small ephemeral waterbodies were observed following rain. The subject land ultimately flows to Wallarah Creek, and into Budgewoi Lake.

The Project area is partly affected by flood planning mapping in accordance with Maps provided under the Central Coast Council Local Environment Plan at <https://maps.centralcoast.nsw.gov.au/public/>

## 4. Impacts and mitigation

## 4.1 Impact details

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

<b>EPBC Act section</b>	<b>Controlling provision</b>	<b>Impacted</b>	<b>Reviewed</b>
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.**

\*

No World Heritage properties nominated (Att. 1 PMST)

### **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.**

\*

No National heritage places listed (Att. 1 PMST)

### **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.**

\*

No Wetlands of International importance listed (Att. 1 PMST)

**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
Yes	No	<i>Acacia bynoeana</i>	Bynoe's Wattle, Tiny Wattle
Yes	No	<i>Angophora inopina</i>	Charmhaven Apple
Yes	No	<i>Anthochaera phrygia</i>	Regent Honeyeater
No	No	<i>Botaurus poiciloptilus</i>	Australasian Bittern
No	No	<i>Caladenia tessellata</i>	Thick-lipped Spider-orchid, Daddy Long-legs
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
Yes	No	<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo
Yes	No	<i>Calyptorhynchus lathami lathami</i>	South-eastern Glossy Black-Cockatoo
Yes	No	<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat, Large Pied Bat
No	No	<i>Charadrius leschenaultii</i>	Greater Sand Plover, Large Sand Plover
Yes	No	<i>Climacteris picumnus victoriae</i>	Brown Treecreeper (south-eastern)
Yes	No	<i>Corunastylis insignis</i>	Wyong Midge Orchid 1, Variable Midge Orchid 1
Yes	No	<i>Corunastylis</i> sp. Charmhaven (NSW 896673)	Wyong Midge Orchid 2
Yes	No	<i>Cryptostylis hunteriana</i>	Leafless Tongue-orchid
No	No	<i>Cynanchum elegans</i>	White-flowered Wax Plant
Yes	No	<i>Dasyurus maculatus maculatus</i> (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	<i>Erythrorchis radiatus</i>	Red Goshawk
Yes	No	<i>Eucalyptus camfieldii</i>	Camfield's Stringybark
No	No	<i>Euphrasia arguta</i>	

<b>Direct impact</b>	<b>Indirect impact</b>	<b>Species</b>	<b>Common name</b>
No	No	<i>Falco hypoleucos</i>	Grey Falcon
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
No	No	<i>Genoplesium baueri</i>	Yellow Gnat-orchid, Bauer's Midge Orchid, Brittle Midge Orchid
Yes	No	<i>Genoplesium branwhiteorum</i>	
No	No	<i>Grantiella picta</i>	Painted Honeyeater
Yes	No	<i>Grevillea parviflora</i> subsp. <i>parviflora</i>	Small-flower Grevillea
No	No	<i>Heleioporus australiacus</i> <i>australiacus</i>	Giant Burrowing Frog, Eastern Owl Frog
Yes	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
No	No	<i>Hoplocephalus bungaroides</i>	Broad-headed Snake
Yes	No	<i>Lathamus discolor</i>	Swift Parrot
Yes	No	<i>Litoria aurea</i>	Green and Golden Bell Frog
Yes	No	<i>Melaleuca biconvexa</i>	Biconvex Paperbark
No	No	<i>Melanodryas cucullata</i> <i>cucullata</i>	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	<i>Mixophyes balbus</i>	Stuttering Frog, Southern Barred Frog (in Victoria)
Yes	No	<i>Mixophyes iteratus</i>	Giant Barred Frog, Southern Barred Frog
No	No	<i>Neophema chrysostoma</i>	Blue-winged Parrot
Yes	No	<i>Notamacropus parma</i>	Parma Wallaby
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Persicaria elatior</i>	Knotweed, Tall Knotweed
Yes	No	<i>Petauroides volans</i>	Greater Glider (southern and central)
Yes	No	<i>Petaurus australis</i> <i>australis</i>	Yellow-bellied Glider (south-eastern)
No	No	<i>Phascolarctos cinereus</i> (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
Yes	No	<i>Potorous tridactylus</i> <i>tridactylus</i>	Long-nosed Potoroo (northern)

<b>Direct impact</b>	<b>Indirect impact</b>	<b>Species</b>	<b>Common name</b>
No	No	<i>Pseudomys novaehollandiae</i>	New Holland Mouse, Pookila
Yes	No	<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox
No	No	<i>Pycnoptilus floccosus</i>	Pilotbird
No	No	<i>Rhizanthella slateri</i>	Eastern Underground Orchid
No	No	<i>Rhodamnia rubescens</i>	Scrub Turpentine, Brown Malletwood
No	No	<i>Rhodomyrtus psidioides</i>	Native Guava
No	No	<i>Rostratula australis</i>	Australian Painted Snipe
Yes	No	<i>Rutidosis heterogama</i>	Heath Wrinklewort
No	No	<i>Stagonopleura guttata</i>	Diamond Firetail
Yes	No	<i>Syzygium paniculatum</i>	Magenta Lilly Pilly, Magenta Cherry, Daguba, Scrub Cherry, Creek Lilly Pilly, Brush Cherry
Yes	No	<i>Tetradlea juncea</i>	Black-eyed Susan
Yes	No	<i>Thelymitra adorata</i>	Wyong Sun Orchid
Yes	No	<i>Thesium australe</i>	Austral Toadflax, Toadflax
No	No	<i>Tringa nebularia</i>	Common Greenshank, Greenshank

### **Ecological communities**

<b>Direct impact</b>	<b>Indirect impact</b>	<b>Ecological community</b>
No	No	Coastal Swamp Oak ( <i>Casuarina glauca</i> ) Forest of New South Wales and South East Queensland ecological community
No	No	Coastal Swamp Sclerophyll Forest of New South Wales and South East Queensland
No	No	River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria

**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 Project would permanently remove approximately 40 hectares of native vegetation that serves as potential habitat for the above listed MNES described as directly impacted. While the presence of all of these species on the Project area is not confirmed, it is highly unlikely that all potential species can be ruled out by survey. Therefore, a residual direct impact is almost certain.

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

\*

Yes

**4.1.4.5 Describe why you consider this to be a Significant Impact. \***

While a formal Assessment of Significance cannot be carried out without further refinement of potential species habitat, the quantum of habitat removal is substantial and the confirmation of the presence of any one threatened MNES in the Project area would be sufficient to make the removal of 40 hectares of habitat significant.

While surveys will aim to delineate and avoid any potential habitat for critically endangered and restricted species, the possibility of impacts to species at high risk of extinction cannot be ruled out at this early stage. Further, impacts at this scale to species at a low risk of extinction are nonetheless a reduction in available habitat in a region already under pressure.

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

Yes

**4.1.4.8 Please elaborate why you think your proposed action is a controlled action. \***

The potential for the Project to significantly impact MNES warrants a coordinated planning and assessment process under the NSW Bilateral Agreement. A large number of MNES have the potential to occur and as such the proponent and their consultant consider it unlikely that the Project would not be considered a controlled action once all surveys to determine species presence or absence are complete.

**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. \***

The Project is in the early stages of establishment and subject to further assessments to determine the presence of species, habitats and communities that may be impacted. Preliminary avoidance has focussed on riparian areas and will continue to be explored as more detailed vegetation delineation identify relative qualities of vegetation zones throughout the project area.

Surveys are also anticipated to rule out some or many of the listed species, however they are included in this early stage to ensure coverage of all species with a moderate to high likelihood of utilising habitat on the site.

The Project site investigation area is approximately 100 Ha to allow the ability to reorientate or reconfigure project infrastructure within the overall project area to avoid and mitigate any potential impacts to biodiversity (and other matters). The disturbance area is estimated to be approximately 40 Ha, subject to the results of detailed design and the detailed environmental studies during the EIS.

Detailed site studies during the next phase of the Project would provide delineation of vegetation condition, likely ecological communities and to truth the State Vegetation Type mapping. Whilst the current concept layout for the project has already avoided watercourse riparian zones, further refinement of the project layout would be undertaken to avoid / mitigate impacts in the EIS phase as the detailed site biodiversity studies are completed. The objective is that vegetation clearing associated with the Project will be minimised by orientating the layout of the Project elements such that clearance of the higher sensitivity vegetation is avoided

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

The Project will be assessed under the NSW Biodiversity Offsets Scheme (BOS) and subject to Biodiversity Credits for impacts to Biodiversity values. This referral is intended to trigger assessment under the NSW Bilateral Agreement.

Surveys are also anticipated to rule out some or many of the listed species, however they are included in this early stage to ensure coverage of all species with a moderate to high likelihood of utilising habitat on the site.

**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	No	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Charadrius leschenaultii</i>	Greater Sand Plover, Large Sand Plover
Yes	No	<i>Cuculus optatus</i>	Oriental Cuckoo, Horsfield's Cuckoo
No	No	<i>Gallinago hardwickii</i>	Latham's Snipe, Japanese Snipe
Yes	No	<i>Hirundapus caudacutus</i>	White-throated Needletail
Yes	No	<i>Motacilla flava</i>	Yellow Wagtail
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
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. \***

**Apus pacificus - Fork-tailed Swift**

**Hirundapus caudacutus - White-throated Needletail**

The Project will require the removal of an estimated 40 hectares of native vegetation, which potentially acts as opportunistic non-breeding habitat for these highly mobile species, which are able to utilise a wide range of habitats. Some impact to the available habitat in the locality cannot be ruled out, despite these species being aerial, uncommon or not recorded in the Central Coast region.

The impact is direct as it involves habitat removal.

**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. \***

While the removal of potential habitat is a direct impact, only the Needletail and Swift are likely to use the site and have been recorded in the locality. Both are almost exclusively aerial in Australia, although their use of aerial habitat is linked to vegetation at ground level. The project would remove a not insubstantial area of native vegetation, however it is unlikely that any migratory species depend on this habitat as important habitat, or to a degree that their lifecycle would be disrupted by the Project, or any individual of the species directly restricted in its movement by the Project.

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

Yes

**4.1.5.8 Please elaborate why you think your proposed action is a controlled action. \***

Although impacts to migratory species are unlikely to be significant, the Project would remove a not insubstantial area of native vegetation, which may also provide habitat for threatened species assessed in this Referral. EPBC Act listed threatened species have been recorded in the locality in similar vegetation.

**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. \***

The Project is in the early stages of establishment and subject to further assessments to determine the presence of species, habitats and communities that may be impacted. Preliminary avoidance has focused on riparian areas and will continue to be explored as more detailed vegetation delineation identify relative qualities of vegetation zones throughout the project area.

The Project site investigation area is approximately 110 Ha to allow the ability to reorientate or reconfigure project infrastructure within the overall project area to avoid and mitigate any potential impacts to biodiversity (and other matters). The disturbance area is estimated to be approximately 40 Ha, subject to the results of detailed design and the detailed environmental studies during the EIS.

Detailed site studies during the next phase of the Project would provide delineation of vegetation condition, likely ecological communities and to truth the State Vegetation Type mapping. Whilst the current concept layout for the project has already avoided watercourse riparian zones, further refinement of the project layout would be undertaken to avoid / mitigate impacts in the EIS phase as the detailed site biodiversity studies are completed. The objective is that vegetation clearing associated with the Project will be minimised by orientating the layout of the Project elements such that clearance of the higher sensitivity vegetation is avoided.

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

The Project will be assessed under the NSW Biodiversity Offsets Scheme (BOS) and subject to Biodiversity Credits for impacts to Biodiversity values. This referral is intended to trigger assessment under the NSW Bilateral Agreement.

#### **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.**

\*

Proposal is not related to 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 Commonwealth Marine Areas listed in Att. 1 PMST. Project area is not proximal to marine environments.

#### **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.**

\*

Project area is not proximal to the GBR marine park. Not listed in Att. 1 PMST

**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 Project has no association with large coal mining development or coal seam gas

**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.**

\*

Commonwealth Lands are listed in the Buffer Area of the site. No impacts are likely to any lands outside of the Project Area (Att 1 PMST)

**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 affected by this local Project

**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:

- Threatened Species and Ecological Communities (S18)

### 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)
- 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. \*

#### Location

The Central Coast region of NSW is an important area for the deployment of battery energy storage systems due this region of the electricity transmission network having high energy demand and with high-capacity existing transmission lines that are currently underutilized owing to the progressive exit of legacy coal generation. Deployment of battery energy systems in this region will minimise the cost of transmission infrastructure needed to connect the project by using existing underutilized infrastructure, reducing the cost to energy network consumers.

However the Central Coast region is a hybrid of densely urbanized areas dispersed amongst national parks, forests and coastal waterways. The selection of this site is the result of a multi year search to screen the region for viable sites with direct proximity to the high voltage transmission lines, with sufficient amounts of predominantly suitable land to host the project infrastructure, with suitable land zoning, with sufficient separation from major residential receivers, with an acceptable hazard and risk profile, with separation to flood prone land, with the potentially acceptable heritage impact risk profile, with access to transport infrastructure, with minimum predicted impact to local amenity and with viable land tenure. No alternative locations were identified in this search

#### Timeline

The Project timeline is supported by a range of strategic plans, policies and strategies at local, State and National levels of government. At a strategic level, the Project offers the opportunity to:

- Support Australia's commitments to reduce greenhouse gas emissions.
- Support the associated energy transition, which involves changing the generation of electricity from fossil fueled to renewable energy. This process is well underway and shift the grid's dependence from coal fired generation to firmed renewables. BESS assets like the Project are essential to the future operation of the electricity grid, as they provide the ability to 'firm' intermittent VRE generators and store this energy for later flexible dispatch to the grid at the time it is required by energy users.
- Improve electricity network security and reliability.
- Mitigate against price volatility in the energy market by shifting VRE generation and smoothing and stabilizing supply to the grid during periods of peak demand, unexpected outages and the closure of large-scale coal generation.

(see Att. 2 Scoping Report, pp28-29)

## 5. Lodgement

## 5.1 Attachments

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	Att 2 Scoping Report.pdf Scoping Report, Request for SEARS	06/06/2025	No	High
#2.	Link	NSW Major Projects Planning Portal <a href="https://www.planningportal.nsw.gov.au/major-proj..">https://www.planningportal.nsw.gov.au/major-proj..</a>			High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 2 Scoping Report.pdf Scoping Report, Request for SEARS	05/06/2025		High

4.1.1.3 (World Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	22/11/2024	No	High

4.1.2.3 (National Heritage) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	21/11/2024	No	High

4.1.3.3 (Ramsar Wetland) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	21/11/2024	No	High

4.1.7.3 (Commonwealth Marine Area) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	21/11/2024		High

4.1.8.3 (Great Barrier Reef) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	21/11/2024		High

4.1.10.3 (Commonwealth Land) Why your action is unlikely to have a direct and/or indirect impact

	<b>Type</b>	<b>Name</b>	<b>Date</b>	<b>Sensitivity</b>	<b>Confidence</b>
#1.	Document	Att 1 PMST.pdf Protected Matters Search Report	21/11/2024	No	High

## 5.2 Declarations

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## Completed Referring party's declaration

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

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ABN/ACN	66627181453
Organisation name	MJD ENVIRONMENTAL (AUST) PTY LTD
Organisation address	2292 NSW
Representative's name	Matthew Doherty
Representative's job title	Director
Phone	0240549539
Email	info@mjdenvironmental.com.au
Address	PO Box 360 Waratah NSW 2298

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, **Matthew Doherty of MJD ENVIRONMENTAL (AUST) PTY LTD**, 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. \*

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## 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.

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ABN/ACN	99658636849
Organisation name	BID ENERGY PARTNERS PTY LTD
Organisation address	2041 NSW
Representative's name	Dan Coutts

Representative's job title	Director
Phone	+61409983717
Email	Dan.coutts@bidenergypartners.com
Address	PO Box 108 Balmain NSW 2041

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, **Dan Coutts of BID ENERGY PARTNERS PTY LTD**, 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 would like to receive notifications and track the referral progress through the EPBC portal. \*

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### **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.

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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, **Dan Coutts of BID ENERGY PARTNERS PTY LTD**, 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. \*