Argoon Wind Farm

Application Number: **02499** Commencement Date: **08/07/2024** Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Argoon Wind Farm

1.1.2 Project industry type *

Energy Generation and Supply (renewable)

1.1.3 Project industry sub-type

Wind Farm

1.1.4 Estimated start date *

01/04/2027

1.1.4 Estimated end date *

31/12/2064

1.2 Proposed Action details

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

Overview:

The Project comprises the development, construction, operation, maintenance and decommissioning of the Argoon Wind Farm, at a location approximately 21 km north of Jerilderie and approximately 63 km southwest of Darlington Point in the South-West region of NSW. The Project will consist of up to 106 wind turbine generators. The Project is a partnership between RES Australia Pty Ltd (RES) and Aula Energy Holdings Pty Ltd (Aula). A Scoping Report was lodged for the Project under the NSW *Environmental Planning and*

Assessment Act 1979 (EP&A Act) in November 2023 by RES. The proponent details will be be updated for the NSW assessment process (refer to Section 1.2.7 of this Referral) to reflect the partnership between RES and Aula.

The Project will be developed on land zoned RU1 'Primary Production'.

The 'Project Area' included in this Referral is 42,211 hectares (ha) in size, comprising:

- 'Wind Farm Area' – of 10,900 ha, split across two distinct areas, with approximately 5,100 ha to the west and 5,800 ha to the east. The Wind Farm Area extends across 103 freehold lots, owned by two landholder groups (host landholders), and some parcels of Crown Land (road reserves).
- 'Transmission Corridor Study Area A'– of 411 ha, which will accommodate transmission interconnection between the distinct west and east wind farm areas.
- 'Transmission Corridor Study Area B'– of 30,900 ha, which will accommodate a transmission easement to connect the Wind Farm Area to the Dinawan substation. Generally, these options include routes aligned along road reserves and through private land, nominally a 'northern' (McLennons Bore Road), 'central' (Liddles Lane) and 'southern' (Jerrys Lane) option.

The Wind Farm Area encompasses wind turbine generators, battery storage facilities and associated infrastructure, ancillary infrastructure and temporary facilities. The associated infrastructure proposed includes operation and maintenance buildings, roads, civil works and electrical infrastructure necessary to connect to the electricity transmission network. Indicatively, the area of the wind turbine generators and associated infrastructure is approximately 900 ha.

The Transmission Corridor Study Areas accommodate multiple transmission corridor options, which are currently under investigation, including overhead and underground options. The selection of the preferred corridor will be informed through consultation with proposed landholders, and with consideration of engineering design and environmental investigations. Upon identification of a preferred transmission corridor, the Transmission Corridor Study Areas will be significantly reduced. The final transmission corridor easement will generally be between 60 to 80 metres in width, with trees and existing structures managed to comply with operational safety and network operator requirements.

The options being investigated within Study Area A include transmission interconnection routes between 6 km and 7.5 km, with potential disturbance between 50 ha and 60ha.

The options being investigated within Study Area B for transmission to Dinawan substation include routes between 10.5 km and 40 km, with potential disturbance between 85 ha and 320 ha.

Please refer to **'Project Location and Regional Context' within Att 1 – Argoon Wind Farm preliminary figures** for the Project Area location.

Existing grazing and cropping agricultural activities within the host properties will continue and co-exist with the Project.

The Project has adopted an iterative approach to design. As such, a development footprint within the Project Area will be finalised at a later stage, as informed by specialist studies, ongoing wind data collection and analysis, and preliminary engineering assessment and design. A preferred port and transport route has not yet been established but four options are available including the Port of Geelong, Port of Newcastle, Port of Partland and Port of Kembla.

It is anticipated that construction works will commence within one year of Project approval, on the assumption that approval is received June 2026 and construction of required transmission infrastructure is not delayed. The construction phase of the Project is anticipated to be approximately 36 months.

<u>Project Significance:</u>

The Project will use local wind resources to generate clean and renewable energy that widely benefits the community and the environment. The Project site was selected for a range of reasons including a reliable wind resource, location within the South West Renewable Energy Zone (SWREZ), proximity to the proposed

Dinawan Substation, flat topography, low population density, cleared land used for agricultural purposes and proximity to the exiting public road network.

Project benefits include:

Environmental

- Providing for cleaner reliable electricity generation, assisting with meeting current load demand while reducing greenhouse gas emissions and the impacts of climate change
- Assisting with fulfilling the current obligations under State and Commonwealth renewable energy targets.

Community

- Contributing to the South-West Renewable Energy Zone (REZ) – the NSW Government expects that REZs will deliver multiple benefits to NSW, including:
    - more reliable energy from significant amounts of new energy supply
    - energy bill savings from reduced wholesale electricity costs
    - emissions reduction from a cleaner energy sector
    - community partnership from strategic planning and best practice engagement and benefit sharing
- Providing regional investment in the NSW renewable energy sector
- Providing direct financial benefits to the regional and local community, including:
    - benefits for First Nations communities
    - infrastructure investment of approximately $1.5 billion
    - employment generation creating up to 340 FTE jobs during peak construction and between 6 and 12 jobs during operation
    - flow on economic benefits to local services through the construction and operation phases, both direct and indirect
    - additional landowner income to host landowners resulting in financial contributions to the local community. The Project is focused on sharing the benefits of its projects by supporting communities over the long term. Benefit sharing is achieved by the Project through a range of opportunities such as community benefits funds, neighbour benefit sharing agreements, voluntary planning agreement (VPAs), community sponsorship and grant initiatives.

<u>Project Elements:</u>

Subject to detailed design, the Project would comprise the following key elements:

- Up to 106 (three blade) wind turbines, each with a maximum blade tip height of up to 280 metres (m) and a hub height of up to 180 m
- Onsite 330 kV substation ,with a newly proposed 330 kV transmission line, connecting the Project to the grid via the proposed Dinawan Substation
- BESS (460 MW/2300 MWh, up to 5-hour battery).
- Operational ancillary infrastructure including:
    - operation and maintenance (O&M) facilities
    - internal access tracks
    - underground and overhead cabling
    - meteorological monitoring masts
- Temporary facilities including:
    - site compounds
    - site offices and buildings
    - laydown areas
    - stockpiles
    - gravel borrow pit(s) and concrete batching plants
    - roads and monitoring masts

- workers accommodation camps (if required).

Please refer to **'Project Location and Regional Context' within Att 1 – Argoon Wind Farm preliminary figures** for the preliminary layout of some of these features.

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

No

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

The following list summarises the relevant Commonwealth (Cth), State (NSW) and Local (Murrumbidgee Council) legislation, planning frameworks and policy documents relevant to the Project:

Commonwealth legislation:

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Under the EPBC Act, a referral is required to be submitted to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) for any 'action' that is considered likely to have a significant impact on any Matter of National Environmental Significance (MNES). A search of the Commonwealth Protected Matters Search Tool (**Att 2 - Argoon Wind Farm PMST Report**) indicated that the Project has potential to impact on listed threatened species and ecological communities, and migratory species. This EBPC Referral is being lodged with DCCEEW to determine whether the Project requires formal assessment and approval under the EPBC Act as a Controlled Action. If deemed a Controlled Action, it is proposed that the Project would be assessed under the bilateral agreement between the NSW and Commonwealth government.

Other relevant Commonwealth legislation includes:

- *Civil Aviation Safety Regulations 1988* - it is a requirement to report tall structures to the Civil Aviation Safety Authority (CASA). A detailed assessment in accordance with the regulations and consultation with the relevant agencies will be undertaken as part of the EIS.
- Heavy Vehicle National Law - approvals are required for the transport of wind turbines and associated infrastructure by over-size over-mass (OSOM) vehicles. The requirements for such OSOM transport will be assessed via a route analysis study as part of the EIS.
- *Native Title Act 1993* - the Project Site has not been identified within a registered or determined native title claim. An Aboriginal Cultural Heritage Assessment will be prepared as part of the EIS.

State legislation:

The Project is classed as State Significant Development (SSD) under the NSW *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) as it is development for the purpose of electricity generation with a capital investment value of more than $30 million. A development application (DA) is required to be submitted under Part 4 of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act). The DA will be accompanied by an Environmental Impact Statement (EIS) that will assess the environmental and social impacts of the Project.

Other relevant State legislation includes:

- *Roads Act 1993* – interaction of the Project with the local and regional road network, including the requirement for any road works, will be addressed in the EIS and include engagement with and approval from (where required) the relevant authority, being either Transport for NSW or local council.
- *Crown Land Management Act 2016* – an approval will be required for any work occurring on Crown Land within the Project Area.

- *Biodiversity Conservation Act 2016* – a biodiversity assessment in accordance with the Biodiversity Assessment Method is required for any SSD project. A Biodiversity Development Assessment Report will be prepared as part of the EIS.
- *Protection of the Environment Operations Act 1997* (POEO Act) - wind farms are a scheduled activity under the POEO Act and require an Environment Protection Licence (EPL). An EPL would be sought in relation to the construction and operation of the Project.
- *Contaminated Land Management Act 1997* - The Project Area does not contain land listed on the Contaminated Lands Register. Relevant mitigation and management measures would be incorporated as part of the Project to address potential contamination issues.

Section 4.41 of the EP&A Act specifies authorisations which are not required for approved SSD. Those are listed below:

- *Fisheries Management Act 1994* – a permit under section 201, 205 or 219.
- *Heritage Act 1977* – an approval under Part 4, or an excavation permit under section 139.
- *National Parks and Wildlife Act 1974* – an Aboriginal heritage impact permit under section 90.
- *Rural Fires Act 1997* – a bushfire safety authority under section 100B.
- *Water Management Act 2000* – 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.

Local legislation:

The Murrumbidgee and Jerilderie local government areas merged in 2015, however the Murrumbidgee Local Environmental Plan (LEP) and Jerilderie LEP are still in force. Therefore, despite the Project's location within Murrumbidge local government area, the Jerilderie LEP applies to the Project.

The Project Area is zoned RU1 ‘Primary Production’ under the Jerilderie LEP. Under the Jerilderie LEP, ‘electricity generating works’ are not listed as prohibited within the RU1 zoning and therefore, under the provisions of the LEP, the Project is permissible with consent. Additionally, clause 2.36(1)(b) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Infrastructure SEPP) states that development for the purpose of electricity generating works may be carried out by any person with consent on any land in a prescribed rural zone, which includes land zoned RU1 under a LEP. The Project, being located on land zoned as RU1 Primary Production, is therefore permissible with consent.

Under Clause 2.7(1) of the Infrastructure SEPP, the provisions prevail where there are inconsistencies with any other environmental planning instruments, including LEPs.

No subdivision of land is proposed as part of the Project.

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. *

Consultation and engagement for the Project commenced in April 2023 and has been undertaken by the Project team for the Argoon Wind Farm. The Project team have engaged in a range of consultation and engagement activities with neighbouring landholders, council members, First Nations groups, and local stakeholders in-person and online. Refer to **Link 1 - Section 5 of Argoon Wind Farm Scoping Report (page 34**) for details on the Project's Stakeholder Engagement Plan, Phase 1 and Phase 2 Engagement, and Agency Engagement.

Consultation activities undertaken to date includes establishing a website, hotline and email address, undertaking formal project briefings, personal interviews and face to face meetings, distributing a project information sheet, providing questionnaires and holding two local community drop in sessions.

The formal notification process for the Aboriginal Cultural Heritage Assessment has been carried out and six groups responded formally registering their interest in the Project. The Project team ran an 'Early works and project introduction' meeting which was attended by three of the six Registered Aboriginal Parties (RAPs). RAPs also attended site during construction of the meteorological mast footings in March 2024. The formal notification process was restarted in September 2024, and detailed consultation will be undertaken with the RAPs throughout the EIS phase.

The following agencies have been briefed on the Project:

- Murrumbidgee Council – Meeting held 25 April 2023, 27 September 2024 and 19 October 2024.
- Transport for NSW – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet.
- Crown Lands – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet. A response from Crown Lands was received via email on 24 September 2023, noting that Crown Lands acknowledges the introduction letter but will await receipt of the SEARs before providing comment on the Project.
- Commonwealth Department of Climate Change, Energy, the Environment and Water – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet. A pre-referral briefing meeting was held on 26 September 2024
- Heritage NSW – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet. A response from Heritage NSW was received via email on 26 September 2023, noting that no additional information is required at this point in the assessment process.
- Environment Protection Authority (EPA) – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet. A response from EPA was received via email on 6 October 2023, noting that the EPA will await receipt of the SEARs before providing comment on the Project.
- Biodiversity, Conservation and Science (BCS) – letter correspondence on 20 September 2023, providing an overview of the Project and requesting initial feedback with an offer to meet. A meeting was held with BCS on 19 October 2023 to discuss the biodiversity assessment work completed to date, including the Bird and Bat Utilisation Surveys methodology and data available from those surveys.
- Department of Planning, Housing and Infrastructure – Scoping meeting held on 10 October 2023. Monthly meetings currently held between RES and DPHI to keep DPHI informed of all RES' NSW projects.

During the preparation of the EIS, the agencies listed above will continue to be consulted. Additional government agencies that may be consulted include:

- Rural Fire Service and / or Fire and Rescue NSW
- Department of Planning, Housing and Infrastructure - Hazards
- Department of Primary Industries – Agriculture and Fisheries.

1.3.1 Identity: Referring party

Privacy Notice:

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

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

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

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☑ **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	20093846925
Organisation name	AECOM AUSTRALIA PTY LTD
Organisation address	4006 QLD

Referring party details

Name	Kate Every
Job title	Associate Director - Environment
Phone	0421 868 573
Email	kate.every@aecom.com
Address	Level 4 68 Northbourne Ave Canberra ACT 2601

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	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW

Person proposing to take the action details

Name	Marton Kalocsay
Job title	Senior Development Project Manager
Phone	0484 024 727
Email	marton.kalocsay@res-group.com
Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

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? *

Yes

1.3.2.16 Describe the nature of the trust arrangement in relation to the proposed action. *

The Person proposing to take the proposed action is corporate trustee for the Argoon Wind Farm Project Trust ABN 58 387 929 271 (Project Trust), which was established by RES Australia Pty Ltd (RES) specifically for the purpose of owning and developing the Project.

Refer to **Att 4 - Argoon Wind Farm Project Trust - Trust Deed** (this document is not publicly available due to commercial sensitivity reasons).

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. *

The person proposing the action is a project-specific entity created specifically to own and develop the Project by RES. RES has put in place contractual arrangements between itself and the Project Trust, whereby RES has committed to provide the full array of development services to the Project. As part of this arrangement, RES is and will continue to make relevant staff available to the Project Trust as required to develop the Project, including in relation to the Project's environmental management.

RES Australia Pty Ltd has a system that delivers responsible environmental management and is committed to transparent and meaningful engagement with planning and environmental authorities with respect to its development projects.

RES is the world's largest independent renewable energy company and is active in onshore and offshore wind, solar, energy storage, green hydrogen, transmission and distribution. RES has over 40 years of experience in clean energy development, with more than 27 GW of renewable energy projects delivered globally and supporting an operational asset portfolio exceeding 12 GW worldwide for a large client base. RES has initiated, negotiated, and executed corporate PPAs in Australia with a combined capacity of over 1.1 GW, including with major off-takers such as Microsoft, Telstra, and ANZ. RES has dedicated, in-house offtake expertise to contract renewable energy projects across the NEM. RES employs over 4,500 passionate people and is active in 14 countries.

RES entered the Australian market in 2004 and now employs over 180 people across the country, with offices in Sydney, Melbourne, Brisbane, and in a number of regional centres. RES is engaged in all technologies: wind, solar and storage and offers development, construction management, and asset management and manages a portfolio of 2.06GW of renewable assets in Australia. This includes some of the largest wind farms in the southern hemisphere: Murra Warra Wind Farm and Dulacca Wind Farm, as well as Emerald Solar Park.

Historically, RES Australia has satisfactorily implemented all the conditions of its previous Commonwealth and State approvals, including both RES' own projects implemented under the EPBC Act, and also through the management of several third party assets that have obligations under the EPBC Act.

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

The person proposing the action is a project-specific entity created specifically to own and develop the Project by RES. RES has put in place contractual arrangements between itself and the Project Trust, whereby RES has committed to provide the full array of development services to the Project. As part of this arrangement, RES is and will continue to make relevant staff available to the Project Trust as required to develop the Project, including in relation to the Project's environmental management.

RES Australia recognises the importance of reducing human impact on the environment. RES Australia recognise that various aspects of their business, which include development, research, construction, operation and maintenance of renewable energy facilities impact on the environment in ways that are both positive and negative. Projects that are owned and developed by RES Australia must adhere to their global Environmental, Social and Governance (ESG) Policy, which provides a framework that seeks to minimise the effects of activities on the environment while securing measurable business benefits. RES Australia is committed to the prevention of pollution and to the continued improvement in their environmental performance. **Refer to Att 3 for the RES Group ESG Policy**.

RES Australia is committed to achieving environmental best practice throughout its business activities by:

- Maintaining a dedicated Environmental Team focused on environmental best practice and development excellence
- Ensuring legal compliance with applicable environmental legislation and with other requirements to which are applicable
- Monitoring purchasing practices and internal operations including energy, and transport to ensure effective use of natural resources and wherever and whenever practicable minimising their environmental impact
- Reducing, re-using and recycling waste produced in all parts of their business as far as is practicable
- Where possible, monitoring and working with our suppliers and other third parties associated with their business, encouraging them to set similar high standards
- Seeking to integrate environmental considerations into future business policy decisions
- Ensuring employees and management understand and are accountable for the achievement of these policy goals through communication and training
- Communicating the policy as appropriate to customers, suppliers, interest groups and the public
- Developing and maintaining systems to implement and review this policy and seeking continual improvement.

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? *

No

1.3.3.2 Is Proposed designated proponent an organisation or business? *

Yes

Proposed designated proponent organisation details

ABN/ACN	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW

Proposed designated proponent details

Name	Mike Head
Job title	Environment Manager
Phone	0481 961 543
Email	mike.head@res-group.com
Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

1.3.4 Identity: Summary of allocation

Confirmed Referring party's identity

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

ABN/ACN	20093846925
Organisation name	AECOM AUSTRALIA PTY LTD
Organisation address	4006 QLD
Representative's name	Kate Every
Representative's job title	Associate Director - Environment
Phone	0421 868 573
Email	kate.every@aecom.com
Address	Level 4 68 Northbourne Ave Canberra ACT 2601

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.

ABN/ACN	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW
Representative's name	Marton Kalocsay
Representative's job title	Senior Development Project Manager
Phone	0484 024 727
Email	marton.kalocsay@res-group.com
Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

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.

ABN/ACN	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW
Representative's name	Mike Head
Representative's job title	Environment Manager
Phone	0481 961 543
Email	mike.head@res-group.com
Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

1.4 Payment details: Payment exemption and fee waiver

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

No

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

No

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

No

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

No

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

No

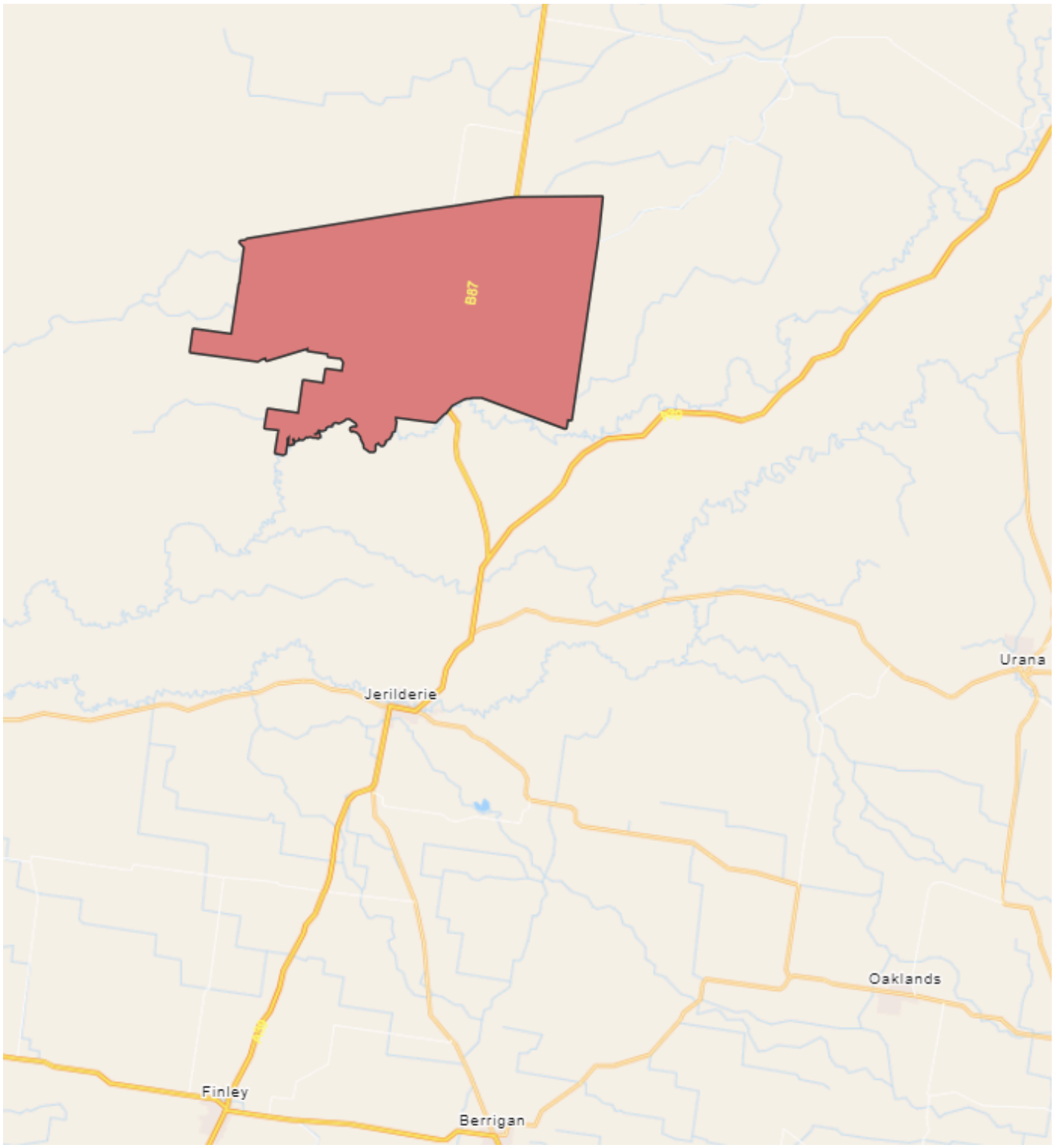
1.4 Payment details: Payment allocation

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

Person proposing to take the action

2. Location

2.1 Project footprint



Maptaskr © 2024 -35.140345, 145.390690

Powered By Esri - Sources: Esri, TomTom, Garmin, F…

Project area: 42214.29 Ha
Disturbance footprint: 42214.29 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

Wilson Road and Liddles Lane, Argoon, NSW, 2707

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 majority of the Project Area is private freehold land. The roads within the Project Area are local roads and also Crown Land road reserves.

The Wind Farm Area extends across 103 freehold lots owned by two landholder groups.

3. Existing environment

3.1 Physical description

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

The Project Area is wholly within the Murrumbidgee Council LGA and borders the Edward River Council along its western boundary. The closest town centre is Jerilderie with a population of approximately 1,029 (approximately 21 km south of the Project Area). The largest population centres nearby are Wagga Wagga (approximately 150 km to the east) and Deniliquin (approximately 73 km south-west).

The closest national park, state park or nature reserve is the Southwest Woodland Nature Reserve (approximately 20 km west) and the Jerilderie Nature Reserve (approximately 20 km south). Much of the region has been historically cleared of native vegetation and cultivated for agricultural use, resulting in generally homogenous agricultural land within and surrounding the Project Area.

There are 23 dwellings located within 10 km of the Wind Farm Area. Six of these are owned by the two host landholder groups (referred to as host dwellings) whereas the remaining dwellings are owned by landholders that are not involved in the Project (referred to as non-associated dwellings). The closest non-associated dwelling is located approximately 730 m south of the boundary of the Wind Farm Area. The proximity and number of non-associated dwellings (sensitive receivers) will be further investigated during the EIS process.

Land within the Wind Farm Area is predominately mapped as land soil capability (LSC) Class 4 (about 7,769 ha), with some Class 5 (about 670 ha) and Class 6 (about 2,122 ha). None of the Wind Farm Area is mapped as Biophysical Strategic Agricultural Land (BSAL).

The Wind Farm Area is located on broad floodplain between the Murray River and Murrumbidgee River alignments. The primary watercourses draining the Wind Farm Area include Delta Creek (along the northeast of the Wind Farm Area) and Yanco Creek (along the southern extent of the Wind Farm Area), with a number of mapped unnamed creeks traversing the Wind Farm Area.

The Yanco Creek floodplain is mapped as a groundwater vulnerability region under the Jerilderie LEP with mapped aquatic and terrestrial Groundwater Dependent Ecosystems (GDEs) within the Project Area. There are no mapped acid sulfate soils, flood planning zones or bushfire prone land within the Wind Farm Area.

The Wind Farm Area Area is located at Liddles Lane and will be accessed via the following local road network: Liddles Lane (north and south), Wilson Road (north) and Jerrys Lane (south). This local road network is accessed via Kidman Way (B87) which runs north-south to the eastern side of the Wind Farm Area. Kidman Way (B87) is classified as a State road and provides north-south connectivity between the township of Bourke and the Newell Highway (A39) north of Jerilderie. Both the Newell Highway (A39) and Kidman Way (B87) form part of the approved 25/26 metre B-double network and OSOM load carrying vehicle network.

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

The Project Area is zoned RU1 ‘Primary Production’ under the Jerilderie Local Environmental Plan 2012. Agriculture is the primary land use within the Project Area, including grazing, cropping and irrigated cropping. Existing agricultural activities within the host properties will continue and co-exist with the Project.

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

There are no outstanding natural features and/or any other important or unique values of note that apply to 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 Project Area is located on predominantly flat land, with typical ground slopes less than 0.5%. Elevation ranges from approximately 108 m Australian Height Datum (AHD) to approximately 123 m AHD.

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.

The Project Area is comprised primarily of disturbed agricultural land (with varying degrees of biodiversity value) and mixed remnant and modified woodlands/forests and grasslands.

An Assessment of Matters of National Environmental Significance (MNES) was prepared in support of the Argoon Wind Farm Scoping Report (refer to **Link 2 - Appendix 6 of Argoon Wind Farm Scoping Report**) as well as this referral (refer to **Att 2 – Argoon Wind Farm PMST Report**). This Referral considers the environmental values present across the Project Area, as informed by desktop assessment and preliminary flora and fauna surveys in the Wind Farm Area.

The Scoping Report MNES Assessment was carried out on 5 September 2023 and included a 10 kilometre buffer around the Wind Farm Area (i.e., excluding Transmission Corridor Study Areas). This search identified:

- Six threatened ecological communities (TECs)
- 44 threatened species
- 10 migratory species.

The Referral MNES Assessment was carried out on 20 October 2024 and included a five kilometre buffer around the Project Area (i.e., including Transmission Corridor Study Areas). This search identified:

- Six TECs
- 39 threatened species
- Eight migratory species.

To supplement the MNES Assessments and in accordance with the Biodiversity Assessment Method (BAM), a preliminary biodiversity assessment was undertaken in July 2024 incorporating desktop analysis and a supplementary site inspection. Preliminary vegetation and survey of landscape features (i.e. hydrological features, scattered trees and hollow-bearing trees) was undertaken as part of this assessment. Importantly, the preliminary assessment has found:

- Of the six TECs identified in both MNES Assessments, two were considered potentially present based on preliminary vegetation survey observations, subject to additional vegetation survey to confirm TEC thresholds are met (refer to Section 3.2.2 below). The remaining four TECs are considered absent.
- Of the 39 threatened species identified in the most recent MNES Assessment, 17 have been identified in the BAM Calculator (BAM-C) requiring targeted surveys. The Regent Parrot (*Polytelis anthopeplus monarchoides*) (Vulnerable) was not identified in the PMST Report but will be subject to targeted surveys under the BAM.
- Of the eight migratory species identified in the most recent MNES Assessment, none have been observed during their respective migration periods across the seven bird and bat utilisation surveys (BBUS), which have been undertaken quarterly since January 2023.

BBUS have been undertaken seasonally since January 2023 (7 surveys completed). These surveys have observed one instance of Superb Parrot (*Polytelis swainsonii)* (Vulnerable) flying between 80-280 m, at rotor swept area height.

Further survey work is planned in accordance with the requirements of the BAM and to gather site-specific information that would inform design development and preparation of the EIS, including:

- BAM plots in September-November
- Targeted flora transects in September-December
- Diurnal bird surveys in October
- Anabat recordings for microbats
- Amphibian surveys in November
- Plains-wanderer surveys in November
- Koala surveys in January
- Nocturnal bird (owl) surveys in January.

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

The Australian Soil Classification (ASC) identified that the dominant soils with the Project Area are chromosols, rudosols and vertosols. There are no mapped acid sulfate soils within the Project Area.

The Project Area is comprised primarily of mixed remnant and modified woodlands/forests and grasslands and disturbed agricultural land (with varying degrees of biodiversity value). Significant remnant native vegetation is located beyond riparian zones and within certain paddocks.

The preliminary biodiversity survey has identified the potential presence of two TECs listed under the EPBC Act across the Project Area, namely:

- Weeping Myall Woodlands (Endangered)
- Natural Grasslands of the Murray Valley Plains (Critically Endangered).

The TEC classification and condition zone mapping is not yet finalised and will be refined as further survey is completed for the Biodiversity Development Assessment Report (BDAR).

The preliminary biodiversity survey has identified eight threatened flora species listed under the EPBC Act requiring additional survey under the BAM, namely:

- Turnip Copperburr (Endangered)
- Winged Pepper-cress (Endangered)

- *Austrostipa wakoolica* (Endangered)
- Slender Darling-pea, Slender Swainson, Murray Swainson-pea* (Vulnerable)
- Red Darling-pea, Red Swainson-pea (Vulnerable)
- Chariot Wheels (Vulnerable)
- Mueller Daisy (Vulnerable)
- Mossgiel Daisy (Vulnerable).

This Referral considers potential impacts to these species, pending results of targeted surveys.

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 items of historical heritage were identified within or in proximity of the Project Area. This includes items on the World, National and Commonwealth Heritage Lists, in addition to items listed on the State Heritage Inventory and the Jerilderie LEP.

The nearest heritage item is approximately 3.4 km southeast of the Project Area, namely the Yanco Store, which is listed on the Jerilderie LEP (item I19) and the NSW State Heritage Register (SHR).

The EIS will be supported by a Historical Heritage Assessment which will be prepared with regard to the NSW Heritage Manual, relevant Heritage Council of NSW guidelines and with consideration of the principles contained in The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance (ICOMOS, 2013).

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

The Wind Farm Area falls on the land of the Wiradjuri people within the Griffith and Cummeragunja Local Aboriginal Land Council (LALC) areas. Based on a review of the spatial database maintained by the National Native Title Tribunal on 05 October 2024, there are no registered or determined Native Title claims relating to the Wind Farm Area.

A search of the Aboriginal Heritage Information Management System (AHIMS) database has identified no known or recorded sites within the Wind Farm Area. It should however be noted that although no sites have been previously recorded within the Wind Farm Area, this may be reflective of the lack of prior assessment in this area.

It is expected that Aboriginal sites and values will be present in the Project Area and a detailed Aboriginal Cultural Heritage Assessment (ACHA) will be undertaken in accordance with the following key guidelines:

- the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011)
- the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010a).

The ACHA will include consultation with the registered Aboriginal parties for the Project in determining and assessing impacts, developing and selecting options and mitigation measures, having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010b).

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. *

The Wind Farm Area is located on broad floodplain between the Murrumbidgee River and Murray River alignments. Mapped watercourses within the Wind Farm Area are of 1st, 2nd and 3rd order, with the southern boundary of the Wind Farm Area bordering Yanco Creek, a 9th order watercourse. A small 3rd order section of Delta Creek flows through the northern region of the Wind Farm Area. Yanco Creek and Delta Creek are tributaries of the Billabong Creek which ultimately discharges to the Murray River via the Edward-Wakool River system.

The Wind Farm Area is located on predominantly flat land, with typical ground slopes less than 0.5%. The relatively flat topography coupled with local surface depressions increases the likelihood of areas of ponding. The natural surface drains from the east to the west through the Wind Farm Area, with the northern section of the Wind Farm Area draining towards Delta Creek, and the southern section of the Wind Farm Area draining towards Yanco Creek.

A Water and Soils Impact Assessment (WSIA) will be undertaken as part of the EIS that will consider potential impacts on water resources and the catchment, including flooding, erosion and sediment control, water quality, water users, water sourcing and licence, and any required management and mitigation measures to minimise the potential impacts of the Project on water and soil resources.

4. Impacts and mitigation

4.1 Impact details

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

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes

EPBC Act section	Controlling provision	Impacted	Reviewed
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	No	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.

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

No

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

There are no World Heritage areas within proximity to the Project.

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.

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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. *

There is no National Heritage in proximity to the Project.

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.

Direct impact	Indirect impact	Ramsar wetland
No	No	Banrock Station Wetland Complex
No	No	Hattah-Kulkyne Lakes
No	No	Riverland
No	No	The Coorong, and Lakes Alexandrina and Albert Wetland

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. *

The closest RAMSAR site (The Hattah - Kulkyne Lakes) are located 200-300km downstream from the Project. Given the nature of the development, it is considered feasible to contain all hydrological impacts to within the Project area. Excavation requirements and native vegetation clearing, which may have direct and indirect impacts on local hydrology, would be a relatively minor percentage of the disturbance footprint and are not anticipated to have any offsite hydrological impacts, including on any RAMSAR wetlands. These assumptions would be supported by detailed hydrological and ecological assessments as the Project's assessment continues. Appropriate erosion and sediment control measures would be adopted to maintain ground stability through construction and operation of the Project.

4.1.4 Threatened Species and Ecological Communities

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

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

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

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	Amphibromus fluitans	River Swamp Wallaby-grass, Floating Swamp Wallaby-grass
Yes	Yes	Anthochaera phrygia	Regent Honeyeater
Yes	Yes	Aphelocephala leucopsis	Southern Whiteface
No	No	Aprasia parapulchella	Pink-tailed Worm-lizard, Pink-tailed Legless Lizard
Yes	Yes	Austrostipa wakoolica	
No	No	Botaurus poiciloptilus	Australasian Bittern
Yes	Yes	Brachyscome muelleroides	Mueller Daisy
Yes	Yes	Brachyscome papillosa	Mossgiel Daisy

Direct impact	Indirect impact	Species	Common name
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris ferruginea	Curlew Sandpiper
Yes	Yes	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Crinia sloanei	Sloane's Froglet
No	No	Falco hypoleucos	Grey Falcon
No	No	Galaxias rostratus	Flathead Galaxias, Beaked Minnow, Flat-headed Galaxias, Flat-headed Jollytail, Flat-headed Minnow
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
Yes	Yes	Grantiella picta	Painted Honeyeater
No	No	Hemiaspis damelii	Grey Snake
No	No	Lathamus discolor	Swift Parrot
No	No	Leipoa ocellata	Malleefowl
Yes	Yes	Lepidium monoplocoides	Winged Pepper-cress
Yes	Yes	Litoria raniformis	Southern Bell Frog,, Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog
Yes	Yes	Lophochroa leadbeateri leadbeateri	Major Mitchell's Cockatoo (eastern), Eastern Major Mitchell's Cockatoo
No	No	Maccullochella macquariensis	Trout Cod
No	No	Maccullochella peelii	Murray Cod
No	No	Macquaria australasica	Macquarie Perch
Yes	Yes	Maireana cheelii	Chariot Wheels
No	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Neophema chrysostoma	Blue-winged Parrot
Yes	Yes	Nyctophilus corbeni	Corben's Long-eared Bat, South-eastern Long-eared Bat
Yes	Yes	Pedionomus torquatus	Plains-wanderer

Direct impact	Indirect impact	Species	Common name
Yes	Yes	Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)	Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory)
Yes	Yes	Polytelis anthopeplus monarchoides	Regent Parrot (eastern)
Yes	Yes	Polytelis swainsonii	Superb Parrot
No	No	Rostratula australis	Australian Painted Snipe
Yes	Yes	Sclerolaena napiformis	Turnip Copperburr
No	No	Stagonopleura guttata	Diamond Firetail
Yes	Yes	Swainsona murrayana	Slender Darling-pea, Slender Swainson, Murray Swainson-pea
Yes	Yes	Swainsona plagiotropis	Red Darling-pea, Red Swainson-pea

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions
No	No	Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia
Yes	Yes	Natural Grasslands of the Murray Valley Plains
No	No	Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains
Yes	Yes	Weeping Myall Woodlands
No	No	White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

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. *

Due to the early stage of design development, a disturbance footprint within the Project Area is not able to be defined in final terms and is subject to ongoing design and refinement during the preparation of an EIS. For the purposes of the EPBC Act Referral, a preliminary and conservative disturbance footprint has been included measuring approximately 900 ha for the Wind Farm Area, and up to 320 ha for the Transmission Corridor Study Area.

TECs

Of the six TECs identified in past MNES Assessments for the Project Area, two TECs were considered potentially present based on preliminary vegetation survey observations, subject to additional vegetation survey to confirm TEC thresholds are met (refer to Section 3.2.2). Both direct and indirect impacts are assumed for the below TECs until presence or absence is confirmed through surveys, and as design refinements continue. Direct impacts would include clearing of potential habitat. Indirect impacts would include the potential for edge effects, weed invasion, sedimentation, and habitat disturbance.

- Weeping Myall Woodlands (Endangered)
- Natural Grasslands of the Murray Valley Plains (Critically Endangered).

Threatened species

Mammals

Both threatened mammal species identified in the most recent MNES Assessment are considered potentially present based on preliminary vegetation survey observations, subject to additional vegetation surveys. Both direct and indirect impacts are assumed for the below threatened species until presence or absence is confirmed through surveys, and as design refinements continue. Direct impacts would include clearing of potential habitat. Indirect impacts would include the potential for edge effects, weed invasion, sedimentation, and habitat disturbance.

- Koala (combined populations of Qld, NSW and the ACT) *Phascolarctos cinereus* (Endangered)
- Corben's Long-eared Bat, South-eastern Long-eared Bat *Nyctophilus corbeni* (Vulnerable).

Birds

Of the 19 threatened bird species identified in the most recent MNES Assessment, eight are considered potentially present based on preliminary vegetation survey observations and BBUS surveys, subject to additional surveys to confirm presence or absence. This includes the Regent Parrot (*Polytelis anthopeplus monarchoides*) (Vulnerable), which was not identified in the PMST Report but will be subject to targeted surveys under the BAM. Both direct and indirect impacts are assumed for the below threatened species until presence or absence is confirmed through surveys, and as design refinements continue. Direct impacts would include clearing of potential habitat. Indirect impacts would include the potential for edge effects, weed invasion, sedimentation, and habitat disturbance.

- Plains-wanderer *Pedionomus torquatus* (Critically Endangered)
- Regent honeyeater *Anthochaera phrygia* (Critically Endangered)
- Major Mitchell's Cockatoo (eastern) *Lophochroa leadbeateri leadbeateri* (Endangered)
- Regent Parrot (eastern) *Polytelis anthopeplus monarchoides* (Vulnerable)
- Painted Honeyeater *Grantiella picta* (Vulnerable)
- Brown Treecreeper (south-eastern) *Climacteris picumnus victoriae* (Vulnerable)
- Southern Whiteface *Aphelocephala leucopsis* (Vulnerable)
- Superb Parrot *Polytelis swainsonii* (Vulnerable). With consideration of the single observation of this species flying at rotor height, there is an additional potential direct impact associated with turbine strike.

Frogs

Of the two threatened frog species identified in the most recent MNES Assessment, one is considered potentially present based on preliminary vegetation survey observations, subject to additional surveys to confirm presence or absence. Both direct and indirect impacts are assumed for the below threatened species until presence or absence is confirmed through surveys, and as design refinements continue. Direct impacts would include clearing of potential habitat. Indirect impacts would include the potential for edge effects, weed invasion, sedimentation, and habitat disturbance.

- Southern Bell Frog (also known as Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog) *Litoria raniformis* (Vulnerable)

Fish

Of the four threatened fish species identified in the most recent MNES Assessment, one is considered potentially present based on preliminary vegetation survey observations, subject to additional surveys to confirm presence or absence. Flathead Galaxias (*Galaxias rostratus* (Critically Endangered)) habitat within Delta Creek is mapped on the Fisheries NSW Spatial Data Portal. However, no direct or indirect impacts are assumed for this species for the following reasons:

- Delta Creek is not classified as Key Fish Habitat under the *Fisheries Management Act 1994* (NSW)
- Delta Creek is mapped as being habitat of 'poor' quality on the Fisheries NSW Spatial Data Portal
- Adjacent project EISs (Dinawan Wind Farm and Yanco Delta Wind Farm) identified:
    - No occurrences of this species within Delta Creek during surveys
    - Flathead Galaxias are found in perennial, slow moving streams or wetlands. Delta Creek does not have permanent water within the Project Area and may only flow at higher speeds during large flood events.

Plants

Of the nine threatened plant species identified in the most recent MNES Assessment, eight are considered potentially present based on preliminary vegetation survey observations, subject to additional surveys to confirm presence or absence. Both direct and indirect impacts are assumed for the below threatened species until presence or absence is confirmed through surveys, and as design refinements continue. Direct impacts would include clearing of potential habitat. Indirect impacts would include the potential for edge effects, weed invasion, sedimentation, and habitat disturbance.

- Turnip Copperburr *Sclerolaena napiformis* (Endangered)
- Winged Pepper-cress *Lepidium monoplocoides* (Endangered)
- *Austrostipa wakoolica* (Endangered)
- Slender Darling-pea, Slender Swainson, Murray Swainson-pea *Swainsona murrayana* (Vulnerable)
- Red Darling-pea, Red Swainson-pea *Swainsona plagiotropis* (Vulnerable)
- Chariot Wheels *Maireana cheelii* (Vulnerable)
- Mueller Daisy *Brachyscome muelleroides* (Vulnerable)
- Mossgiel Daisy *Brachyscome papillosa* (Vulnerable)

Reptiles

Of the two threatened reptile species identified in the most recent MNES Assessment, none are considered potentially present based on preliminary vegetation survey observations, subject to additional surveys to confirm presence or absence.

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. *

Vegetation clearing associated with the Project has the potential to result in the following impacts as listed in the Significant Impact Guidelines:

- Reduce the extent and increase fragmentation of threatened ecological communities.
- Adversely affect habitat critical to the survival of potentially occurring threatened flora and fauna species.

Due to the early stage of Project design and with reference to the desktop and survey data currently available to the Project, a precautionary assumption that a Significant Impact will occur has been made at this time.

Whilst the Project has undertaken a process of preliminary impact assessment to avoid, reduce or manage potential impacts, these impacts may still occur in the absence of the application of further avoidance or mitigation measures. The type and extent of impacts would be confirmed through further surveys planned as noted in Section 3.2.1 and further avoidance, mitigation, and/or management measures would be applied as required, in accordance with the BAM.

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 proposed development footprint within the Project Area contains TECs and habitat for potentially occurring threatened flora and fauna that are listed under the EPBC Act. These elements, **in the absence of avoidance and mitigation measures (as directed above)**, may be subject to a significant impact as a result of the Project.

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 founded on the proper implementation of the mitigation hierarchy. That is, the Project would seek to avoid, minimise, mitigate, manage and then offset impacts, in that order. The proponent has already investigated and implemented numerous avoidance and minimisation measures at this early stage as part of the development of the Project, which would continue to be developed through the design and assessment phase. These are outlined below.

TECs:

- Minimising clearing of TECs through the redesign of key elements of the Project, such as co-locating access tracks with the underground reticulation network
- Where clearing cannot be avoided, prioritising disturbance to occur firstly within areas not deemed to conform to a TEC, and then within locations of existing cleared or disturbed variants of native

vegetation (e.g. derived native grassland and low condition areas of TECs)
- Adoption of partial clearing methods as a preference over full clearing where vegetation impacts cannot be otherwise reasonably avoided.
- Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains TEC would be avoided through transmission line design.

Threatened fauna:

- Undertaking preliminary targeted surveys to confirm presence/absence of candidate threatened fauna and their location
- Prioritising disturbance to occur within exotic dominated or disturbed areas wherever practicable
- Undertaking a hollow-bearing tree survey to record the location of all potential breeding habitats for hollow-dwelling threatened fauna species
- Minimising the clearing of hollow-bearing trees wherever practicable as part of the design, and ensuring a setback is implemented to separate development from confirmed breeding hollows wherever possible
- Identifying caves, scarps, cliffs, rock overhangs and disused mines within 100 m of the Project Area
- Where breeding is confirmed in target bat species, all proposed works are to be setback at least 100 m from breeding habitat
- Targeted surveys for birds and bats to confirm utilisation of habitats within the Wind Farm Area and quantify any potential risk of turbine collision (7 surveys completed thus far)
- Maintaining a maximum clearance between the rotor swept paths of turbines and adjacent tree canopy to minimise bird and bat collision risks.

Threatened flora:

- Undertaking targeted surveys to confirm presence/absence within potential habitat for candidate threatened flora species. Future surveys will be carried out in accordance with the BAM
- Avoidance of clearing within any confirmed threatened species habitats wherever practicable.

General measures:

- Prioritising usage of existing access tracks
- Implementing turbine exclusion zones around riparian vegetation on the Yanco Creek floodplain and remnant vegetation in the Project's east
- Undertaking targeted surveys to confirm presence/absence of candidate threatened flora and fauna species
- Predicting environmental impacts and refining the Project footprint to avoid, minimise, mitigate, manage or offset impacts
- Minimising the clearing of hollow-bearing trees and other breeding habitats confirmed onsite
- Cleaning of plant and machinery prior to entry to the site. Once present, machinery would generally stay within the site until they are no longer required. If required to leave and return they would be cleaned prior to re-entering the site
- Cleaning of plant and machinery between properties where biosecurity risk exists until access tracks are formed and capped, when biosecurity risks are materially reduced
- The enforcement of strict exclusion zones, particularly within areas of high biodiversity value i.e. TEC and/or high quality native vegetation
- Rapid rehabilitation of temporarily cleared areas with native plants endemic to the locality (where practicable)
- Placing any dead wood and dead trees removed as part of the Project within a suitable location nearby to compensate for any habitat removal (where practicable)
- Water carts and other appropriate dust control measures would be used to suppress dust, particularly in dry times and during high winds

- Sediment and erosion control devices strategically placed to protect permanently flowing receiving waterways

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

Further assessment of Project impacts would be carried out in accordance with the NSW Biodiversity Assessment Method (BAM) and all residual Project impacts would be offset in accordance with the NSW Biodiversity Offset Scheme (BOS). Where matters protected under the EPBC Act require offsetting, these offsets would be obtained in accordance with the bilateral agreement between the Commonwealth and NSW, which requires that these offsets are obtained on a 'like for like' basis.

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	Actitis hypoleucos	Common Sandpiper
No	No	Apus pacificus	Fork-tailed Swift
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Motacilla flava	Yellow Wagtail
No	No	Myiagra cyanoleuca	Satin Flycatcher

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

No

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

No migratory species have been observed during the seven bird and bat utilisation surveys, undertaken seasonally since January 2023. Suitable habitat for migratory species has not been observed within the Wind Farm Area. Although it it possible that migratory species may occasionally use natural drainage systems, depressional wetlands or farm dams during suitable conditions, this is unlikely to represent ‘important habitat’ for migratory species. On this basis, impacts to migratory species are considered unlikely.

The bird and bat utilisation surveys will be used to inform a Bird and Bat Adaptive Management Plan (BBAMP) that will be required as a condition of approval. This will be prepared to provide an overall strategy for managing and mitigating any significant bird and bat strikes arising from the operation of the project.

4.1.6 Nuclear

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

No

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

The Project is not a nuclear action.

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.

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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. *

The Project is not within or near any Commonwealth Marine Areas.

4.1.8 Great Barrier Reef

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

No

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

The Project is not within or near the Great Barrier Reef.

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

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

No

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

The Project is not a coal seam gas or large coal mining development.

4.1.10 Commonwealth Land

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

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

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

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

No

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

The Project is not within or near any Commonwealth land.

4.1.11 Commonwealth Heritage Places Overseas

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

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

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

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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. *

The Project is not within or near any Commonwealth land.

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. *

The Project continues to go through iterative phases of design to configure the most appropriate design and layout in respect to potential impacts to MNES. Further to this, refinement will continue throughout the approvals process and prior to EIS submission.

The Project location was selected with consideration to both NSW and Commonwealth policy and due to:

- A reliable wind resource and access to this wind resource consistently across the Wind Farm Area. Wind monitoring commenced on site in August 2022, to further understand the local wind resource and assess the feasibility of the Project.
- Its position within the South-West REZ and proximity to the proposed Dinawan Substation.
- Increased generation capacity in the existing transmission line due to the proposed Project Energy Connect, Victoria NSW Interconnector (VNI West) and Humelink transmission projects.
- Very flat topography within the Project Area resulting in straightforward construction when compared to wind farms in other geographies i.e. projects with more substantial topography.
- Generally positive feedback regarding the Project's approach to engagement received from preliminary community and stakeholder engagement with First Nations groups, host landholders, neighbouring landholders and other key stakeholder groups in the region. Consultation with potential

host landholders started in April 2023 via phone calls and face to face meetings conducted by RES employees.
- Low population density and a limited number of nearby rural residential dwellings.
- The Project being compatible with existing pastoral land uses, with minimal impact to current agricultural activities being anticipated during both construction and operation of the Project.
- Proximity to the existing public road network and access to several existing internal roads.
- Consideration of other important social and environmental values.

Throughout the EIS, the Project will further refine the turbine layout, taking into account discussions with involved landowners and project neighbours to incorporate feedback, as well as incorporating constraints that will inform future iterations on infrastructure locations.

Project alternatives will be considered in more detail in the EIS.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 1 – Argoon Wind Farm preliminary figures.pdf Draft Project Layout and Study Area for EPBC referral	22/10/2024	No	High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 2 - Argoon Wind Farm PMST Report.pdf Protected Matters Search Tool Report	19/10/2024	No	High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Scoping Report - Argoon Wind Farm https://majorprojects.planningportal.nsw.gov.au/..			High

1.3.2.16 (Person proposing to take the action) Nature of the trust arrangement in relation to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 4 - Argoon Wind Farm Project Trust - Trust Deed.pdf	20/09/2024	Yes	

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

	Type	Name	Date	Sensitivity	Confidence

#1.	Document	Att 3 - RES Group ESG Policy.pdf RES Group's Sustainability Policy	28/02/2024	No	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Att 2 - Argoon Wind Farm PMST Report.pdf Protected Matters Search Tool Report	19/10/2024	No	High
#2.	Link	Scoping Report - Appendix 6 - PMST - September 5th 2023 https://majorprojects.planningportal.nsw.gov.au/..			High

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

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance, 2013 https://australia.icomos.org/wp-content/uploads/..			High

3.3.2 Indigenous heritage values that apply to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Aboriginal cultural heritage consultation requirements for proponents 2010 https://www.environment.nsw.gov.au/-/media/OEH/C..			High
#2.	Link	Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales https://www.environment.nsw.gov.au/-/media/OEH/C..			High
#3.	Link	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW https://www.environment.nsw.gov.au/-/media/OEH/C..			High

5.2 Declarations

Completed Referring party's declaration

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

ABN/ACN	20093846925
Organisation name	AECOM AUSTRALIA PTY LTD
Organisation address	4006 QLD
Representative's name	Kate Every
Representative's job title	Associate Director - Environment
Phone	0421 868 573
Email	kate.every@aecom.com
Address	Level 4 68 Northbourne Ave Canberra ACT 2601

☑ 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, **Kate Every of AECOM AUSTRALIA 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. *

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.

ABN/ACN	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW
Representative's name	Marton Kalocsay
Representative's job title	Senior Development Project Manager
Phone	0484 024 727
Email	marton.kalocsay@res-group.com

Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

☑ 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, **Marton Kalocsay of ARGOON WIND FARM PROJECT CO 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, **Marton Kalocsay of ARGOON WIND FARM PROJECT CO PTY LTD**, the Person proposing the action, consent to the designation of **Mike Head of ARGOON WIND FARM PROJECT CO PTY LTD** as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

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

✓ Completed Proposed designated proponent's declaration

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

ABN/ACN	679404132
Organisation name	ARGOON WIND FARM PROJECT CO PTY LTD
Organisation address	2060 NSW
Representative's name	Mike Head
Representative's job title	Environment Manager
Phone	0481 961 543
Email	mike.head@res-group.com
Address	Level 6, 165 Walker Street North Sydney, NSW, 2060

☑ 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, **Mike Head of ARGOON WIND FARM PROJECT CO 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. *