



Environmental Protection Authority

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

Proposal title: Marri Wind Farm

Proposal description:

The proposal is for the development of an onshore wind farm and involves the construction and operation of up to 82 wind turbines, generating up to 550 megawatts (MW). Associated infrastructure includes temporary worker accommodation, a battery energy storage system (BESS), electrical cabling, transmission infrastructure, substation and other supporting infrastructure.

The proposal is located approximately 20 km south of Dandaragan, Western Australia. The wind farm substation will connect the proposal to the South West Interconnected System (SWIS) via the adjacent 330 kilovolt (kV) transmission line, supporting the Clean Energy Link North infrastructure upgrade works.

The total proposed area of disturbance is 964.37 ha within a 12,483.55 ha development envelope (DE). The DE primarily consists of cleared agricultural land. No more than 7.02 ha of remnant native vegetation clearing is required within the DE.

Proposal location: Shire of Dandaragan

APP number: APP-0032023

Date referral received: 03-11-2025

Date more information received: 30-04-2026

Referrer: Marri WF Pty Ltd as trustee for the Marri WF Unit Trust

Proponent: Marri WF Pty Ltd as trustee for the Marri WF Unit Trust

Potential significant effects:

There are potential impacts on: **flora and vegetation** from the clearing of 7.02 ha of native vegetation; **terrestrial fauna** from the clearing of habitat and from ongoing risk of collision with wind turbines; and **social surroundings** from construction and operation impacts to amenity (noise and visual) and Aboriginal cultural heritage.

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

Public comment on referral information:

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

Yes 5 No 0

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

Yes 4 No 1

Total submissions: 5

Decision: s. 38G(1) – Not assess

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

The Environmental Protection Authority (EPA) has decided not to assess the proposal because:

- The EPA considers the likely environmental effects of the proposal are not so significant or unmitigated to warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).
- The EPA sought additional information from the proponent under s. 38F(1) and (2) of the EP Act to enable it to decide whether or not to assess the proposal. The proponent revised their assessment of potential impacts on relevant environmental factors, and revised the Preliminary Bird and Bat Adaptive Management Plan (BBAMP). The proponent also provided additional information on the ability of other decision-making processes to regulate the potential impacts of the proposal consistent with the EPA's objectives. The EPA considers that the proponent's response adequately addresses the EPA's notice requiring further information.
- The EPA considers that the likely environmental effects of the proposal can be mitigated by statutory decision-making processes to achieve consistency with the EPA's factor objectives.
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document (PCD) and management outlined in the Referral Supporting Document (RSD) and supporting attachments available on the [EPA's website](#).
- *Flora and Vegetation* – the EPA notes that implementation of the proposal will directly impact Department of Biodiversity, Conservation and Attractions (DBCAs) listed Priority Ecological Community (PEC) 'Banksia Woodlands of the Swan Coastal Plain', and three vegetation associations which have less than 30% of the pre-European extent remaining in the associated bioregion. The EPA considers that impacts on Flora and Vegetation can be managed appropriately through the proposed mitigation measures and under other decision-making processes (see subsections below):
 - Avoiding clearing of threatened and Priority flora.
 - Minimising clearing of 'Banksia Woodlands of the Swan Coastal Plain' PEC to 0.168 ha.
 - Limiting clearing of vegetation associations VSA 999, VSA 1035, and VSA 1031 to less than 0.01% of the respective remaining extents in the bioregion.
- *Terrestrial Fauna* – the EPA notes that several conservation significant bird species, including black cockatoos, the blue-billed duck, peregrine falcon, and migratory species may be impacted by the proposal. The EPA considers that impacts on Terrestrial Fauna can be managed appropriately through the proposed mitigation measures and under other decision-making processes (see subsections below):
 - Limiting clearing to 63 potential black cockatoo nesting trees (noting that all trees were inspected and do not currently contain suitable hollows). The EPA considers that impacts on 63 potential nesting trees and foraging habitat for black cockatoo species can be effectively managed by Native Vegetation Clearing Permits issued under Part V, Division 2 of the EP Act.
 - The proposal presents an ongoing risk to avifauna, including conservation significant fauna species, from collision or strike with turbines, which may result in fauna mortality. The EPA notes that the proponent has committed to a minimum turbine blade tip height of 66 metres above ground level to

minimise collision risk, and has located turbines to ensure a separation distance of at least 3.5 km from wetland habitats. The EPA has assessed the adequacy of the Preliminary BBAMP (BBAMP) to mitigate mortality risk to birds and bats from operation of the proposal. The EPA notes that the Development Approval (DA) may include conditions that require the implementation of an appropriate BBAMP prior to the commencement of operations.

- *Social Surroundings* – the EPA has considered the impacts to Aboriginal cultural (ACH) heritage and the rural locality of the proposal in relation to amenity (both visual and noise), as well as the requirement for noise levels at sensitive receivers (regardless of cumulative noise sources) to comply with the limits identified in the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) (as amended).
 - The EPA notes the potential for ACH sites to be present in the DE and the proponent’s commitment to undertake archaeological and ethnographic heritage surveys prior to ground disturbance. The EPA notes the proponent will avoid any ACH values identified during and if disturbance of a registered ACH site is required, the EPA is confident that impacts to Social Surroundings (Aboriginal heritage) can be assessed and managed under the *Aboriginal Heritage Act 1972* (AH Act).
 - Given noise is regulated under the Noise Regulations and the DA for the proposal may include a condition for an updated Noise Impact Assessment (NIA) to demonstrate that the proposal can comply with the Noise Regulations, the EPA is confident that impacts to Social Surroundings (amenity) from operational noise is not likely to be significant.
- *Inland Waters* – the EPA notes that the proposal requires groundwater abstraction, with anticipated water use of 297 megalitres (ML) over three years during construction. The EPA has considered the temporary nature of the proposed abstraction and groundwater use options for the Proclaimed Gingin Groundwater Area, noting the proponent’s intent to acquire an existing groundwater licence with sufficient allocation to meet the proposal’s groundwater requirements. The EPA has confidence that impacts to Inland Waters can be managed through the assessment processes under the *Rights in Water and Irrigation Act 1914* (RiWI Act) (see subsections below).
- The EPA considered cumulative impacts of the proposal with other activities within the area. The proposed clearing of native vegetation represents a small increase to the cumulative clearing within the local area and is not considered to cause any additional fragmentation. The EPA considers that the impacts from the proposal are unlikely to contribute to additional cumulative impacts which would undermine achievement of EPA’s objectives.
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.
- Given the EPA’s decision to ‘not assess’ this proposal, there will be further opportunity for the public to comment on aspects of the proposal during the public comment period for applications under Part V Division 2 of the EP Act.

- The EPA considers that potential environmental impacts associated with the construction and operation of the proposal can be regulated by other decision-making processes (see subsections below).

Taking into account decision-making processes under the Planning and Development Act 2005 (PD Act)

- The proposal requires DA under Section 6 of the PD Act. Assessment of the DA gives regard to the Planning and Development (Local Planning Schemes) Regulations 2015 (PD Regulations).
- The EPA notes that under Schedule 2, Section 67(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations), due regard must be given to the amenity of the locality, including environmental impacts, the character of the locality, and social impacts (such as noise) relevant to the proposal when considering an application for Development Approval.
- A Preliminary BBAMP has been prepared to monitor and manage ongoing risks to terrestrial fauna from operation of the proposal. The DA required for the proposal under the PD Act may also assess and regulate ongoing risks to birds and bats by including the implementation of a BBAMP as a condition of Development Approval.
- These types of impacts on environmental, social and amenity values can be mitigated and managed through conditions of DA granted under the PD Act through the provisions of the LPS Regulations, which allow for consideration of any relevant environmental and social impacts as part of the DA process.

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

- The proposal primarily occurs on cleared agricultural land. Clearing of native vegetation has been limited to 7.02 hectares, including 0.168 ha of a DBCA listed PEC. No clearing of *Biodiversity Conservation Act 2016* (BC Act) listed threatened flora and DBCA listed priority flora will occur.
- The impacts associated with clearing of native vegetation, including direct impacts on fauna habitat can be assessed and regulated under Part V Division 2 (Clearing) of the EP Act.
- Unless otherwise exempt, the proponent will submit an application to the Department of Water and Environmental Regulation (DWER) for a permit to clear vegetation under Part V Division 2 (Clearing) of the EP Act.
- In assessing the Native Vegetation Clearing Permit application, DWER will consider how the proponent has applied the mitigation hierarchy and the ten Clearing Principles outlined in the EP Act, and whether any conditions should be prescribed to manage potential impacts to vegetation.
- It is noted that offsets can also be prescribed to counterbalance any significant residual impacts to biodiversity values.

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

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

Taking into account decision-making processes under the Biodiversity Conservation Act 2016 (BC Act)

- The operation of the proposal has the potential to impact on terrestrial fauna, including fauna species listed as threatened under the BC Act, from the ongoing risk of collision or strike with turbines which may result in fauna mortality.
- The impacts associated with the potential mortality of threatened fauna species, including Carnaby's black cockatoo, can be regulated under the BC Act through a s.40 authorisation to take and disturb threatened fauna.

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

- No registered ACH sites have been recorded in the proposal DE.
- The EPA considers the proponent has taken reasonable steps to consult with the Traditional Owners, through engagement with the Yued Aboriginal Corporation. Archaeological and ethnographic heritage surveys will be completed prior to ground disturbance, with appropriate mitigation/controls developed in consultation with Traditional Owners. Any Aboriginal cultural heritage values identified during surveys will be avoided.
- The EPA is satisfied that the processes provided for under the AH Act can mitigate potential impacts to any registered Aboriginal cultural heritage sites to be consistent with the EPA's objectives.

Taking into account decision-making process under the RiWI Act

- The proposal is located within the Gingin Proclaimed Groundwater Area and the Moore-Hill Rivers Basin Proclaimed Surface Water Area.
- The proposal has the potential to impact on Inland Waters from groundwater abstraction (mostly during construction).
- A 5C licence to take groundwater, and potentially a 26D licence to construct or modify a well (if required) will be required, noting the proponent's intent to acquire

an existing 5C licence with sufficient allocation for the proposal's groundwater requirements. The EPA objectives for Inland Waters can be met through assessment and approval process under the RiWI Act.

Taking into account decision-making process under the Dangerous Goods Safety Act 2004, Electricity Act 1945 and the Electricity (Licencing) Regulations 1991 (Electricity Regulations)

- Operation of the proposal includes a BESS.
- Control and safety of electrical installations and equipment (such as BESS) is regulated by the Department of Local Government, Industry Regulation and Safety (DLGIRS). The BESS must comply with the *Electricity Act 1945* and Electricity (Licencing) Regulations 1991, and relevant standards and building codes to minimise associated hazards (e.g. fire, explosion, release of hazardous chemicals). The BESS may also require licencing under the *Dangerous Goods Safety Act 2004*.

Public advice

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

- The proponent's PCD specifications about the size and purpose of the clearing are material to ensuring the proposal is not likely to have a significant impact on the environment.
- The EPA supports the assessment and regulation of the native vegetation clearing under Part V Division 2 (Clearing) of the EP Act to ensure the environmental outcome of maintaining biological diversity and ecological integrity is achieved. The EPA expects that this process will minimise the extent of flora and vegetation and terrestrial fauna habitat impacted by the proposal.
- To mitigate potential impacts on terrestrial fauna associated with operation of the windfarm, the EPA supports the implementation of a BBAMP to manage impacts to bird and bat species. The EPA recommends that assessment and regulation of impacts on terrestrial fauna under the PD Act should consider risks to birds and bats from operation of the wind turbines, including the ongoing risks of strike, collision, and barotrauma. The EPA recommends a DA should include a condition requiring the implementation of an appropriate BBAMP to ensure the environmental outcome to maintain biological diversity and ecological integrity is achieved. The EPA expects that these processes will ensure that management of ongoing impacts of wind turbine operations to fauna are managed over its lifetime.
- To mitigate potential impacts associated with operation of the windfarm, the EPA supports the implementation of noise management measures to manage impacts to social surroundings. The EPA recommends that assessment and regulation of impacts on Social Surroundings under the PD Act, including the Noise Regulations and other related guidelines, should ensure the environmental outcome to protect Social Surroundings from significant harm is achieved. The EPA expects that these processes will ensure that management of ongoing impacts of wind turbine operations to Social Surroundings are managed.

- The assessment and regulation of Aboriginal cultural heritage under the AH Act and other related guidelines should ensure the environmental outcome to protect Social Surroundings from significant harm is achieved.

Material information considered by the EPA in this decision

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

- Marri Wind Farm – Referral of a proposal under s.38 of the EP Act referred on 03-11-2025 (as amended under s.38C, 18-05-2026)
- Marri Wind Farm – Referral supporting documentation and appendices A to T (as amended under s.38C, 18-05-2026)
- Comments received during the seven-day public comment period
- Marri Wind Farm – Section 38F (1) and (2) – Response to Notice Requiring Further Information (received 30-04-2026)
- Advice from DWER’s Environmental Noise Branch
- Advice from DWER’s Swan Avon Region Branch
- Advice from DWER’s Terrestrial Ecosystem Branch
- Advice from the Shire of Dandaragan
- EP Act s 3, s 4, Part IV, Admin Procedures, EPA factor and technical guidance

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



Darren Walsh

Chair

Delegate of the Environmental Protection Authority

Date: 23 May 2026