

## *Environmental Protection Act 1986*

### Section 38F(1) and (2)

#### NOTICE REQUIRING FURTHER INFORMATION

##### **PERSON TO WHOM THIS NOTICE IS GIVEN**

Marri WF Pty Ltd (ACN 684 707 551)  
Level 18 Raine Square, Murray Street  
PERTH WA 6000

##### **PROPOSAL TO WHICH THIS NOTICE RELATES:**

Marri Wind Farm

Pursuant to s. 38F(1) and (2) of the *Environmental Protection Act 1986*, as a delegate of the Environmental Protection Authority (EPA), I consider that the EPA does not have enough information about the above proposal to enable it to decide whether or not to assess this proposal, or the appropriate level of assessment if applicable. I therefore request you to provide the EPA with the following information in accordance with the EPA's guidelines, procedures and instructions ([www.epa.wa.gov.au/guidelines-and-procedures](http://www.epa.wa.gov.au/guidelines-and-procedures)).

##### 1. Environmental impact assessment

The referral supporting document (RSD) does not adequately quantify impacts of the proposal on the environmental factors, being *Flora and Vegetation*, *Terrestrial Fauna*, and *Inland Waters*. Revise the environmental impact assessment (EIA) for these factors giving regard to the EPA's Factor Guidelines:

- Environmental Factor Guideline – [Flora and Vegetation](#) (EPA 2016)
- Environmental Factor Guideline – [Terrestrial Fauna](#) (EPA 2016)
- Environmental Factor Guideline – [Inland Waters](#) (EPA 2018).

The EPA is requesting clarification or further assessment of the significance of potential impacts and the residual impacts of the proposal on Threatened and priority flora, vegetation and conservation significant fauna (as well as locally significant species and range extensions, if present). Further assessment of the cumulative impacts of the proposal with other nearby proposals should also be provided in relation to these impacts.

##### *Flora and Vegetation*

The assessment should consider potential impacts on conservation significant flora species assessed as likely or with potential to occur within the proposal Development Envelope (DE), taking into account the limitations of completed and proposed flora surveys. The proposal is located within an extensively cleared area and the potential

impact on vegetation associations should be quantified, especially where the percentage remaining in the bioregion is <30% of the pre-European extent.

The Preliminary Water Resources Impact Assessment (Appendix H) identified potential aquatic Groundwater Dependent Ecosystems (GDEs) (associated with geomorphic wetlands) and terrestrial GDEs (associated with Caren Caren Brook) within the proposal DE, including areas with high potential for interaction with groundwater. Provide the measured, or interpreted, depth to groundwater at locations where there is high potential for groundwater interaction/dependence. Provide further clarification or assessment of the potential for the abstraction of groundwater or surface water to impact on GDEs.

#### *Terrestrial Fauna*

Table 7-3 of the RSD notes potential foraging, roosting, and breeding habitat occur within the proposal DE. Noting Carnaby's Black Cockatoo were recorded within the DE and Forest Red-tailed Black Cockatoo are considered likely to occur, further information is required on the extent of low quality through to excellent quality black cockatoo foraging, roosting and breeding habitat to be impacted within the proposed disturbance footprint.

#### *Inland Waters*

The EPA notes there are inconsistencies between water abstraction volumes provided in the Proposal Content Document (PCD) compared to the Preliminary Water Resources Impact Assessment (Appendix H). Advise of the maximum water requirements for all phases of the proposal and if required amend the PCD (including operational and decommissioning phases if applicable). Ensure the revised EIA identifies the preferred water source(s) with justification.

#### *General*

Propose additional mitigation measures using the mitigation hierarchy to give the EPA confidence that the objective for each environmental factor can be met. This may include further surveys, pre-clearance surveys, exclusion areas, and avoidance measures. Where other decision-making processes can apply, state these processes and how they can ensure that the EPA objective for the relevant environmental factor can be met.

#### 2. Assessing significance of residual impact

Reassess the significance of residual impacts (direct, indirect, and cumulative) of the proposal on key environmental factors in a local and regional context. For guidance on what the EPA may have regard to in its consideration of 'significance' refer to the [EPA's 'Statement of environmental principles, factors, objectives and aims of EIA' \(EPA, April 2023\)](#).

When assessing residual impacts from the proposal, provide context/perspective by discussing current scientific knowledge such as the remaining extent (e.g. for vegetation associations), the known population size and extent (e.g. for conservation

significant species), and the value of nearby habitats for conservation significant fauna to contextualise the value of habitats that will be directly impacted by the proposal.

Where significant residual impacts remain, environmental offsets may need to be considered.

### 3. Management of potential impacts to birds and bats

The EPA considers the implementation of an appropriate Bird and Bat Adaptive Management Plan (BBAMP) to be a key management measure to mitigate ongoing risks to birds and bats from turbine collision, strike, and barotrauma from windfarm proposals. The Preliminary Bird and Bat Management Plan (PBBMP) (Appendix Q) discusses potential management approaches and triggers, however no environmental outcome has been specified and it is unclear what approaches will be implemented and under what scenarios. Furthermore, the PBBMP does not adequately address potential impacts on bats from the proposal, noting that bats are particularly susceptible to collision with wind turbines and populations are observed to be sensitive to low mortality rates.

To provide the EPA with confidence that the PBBMP can ensure the EPA's objective for terrestrial fauna can be met, the following information is required:

- Amend the PBBMP to adopt the framework outlined in the [EPA's 'Instructions – How to prepare Environmental Protection Act 1986 Part IV environmental management plans \(EPA 2024\)](#).
- Revise the environmental outcomes and ensure they align with the RSD.
- Ensure all bat species recorded during surveys and considered vulnerable to impacts from wind turbines (despite conservation listings) are addressed in the PBBMP and risk assessment (e.g. Gould's wattled bat).
- Revise the risk assessment to adopt the precautionary principle when evaluating potential impacts on bird and bat species (for example a lack of information or certainty should increase, not decrease, the risk rating).
- Establish a clear and responsive framework for managing potential impacts on bird and bat species assessed as being at risk from turbine collision, strike and/or barotrauma from operation of wind turbines.
- Include well-defined trigger and threshold criteria, and clear contingency actions.
- Revise the post-construction monitoring approach (methods and duration) to ensure that bird and bat mortality, directly or indirectly caused by the operating wind farm, is adequately monitored to inform adaptive management and demonstrate that the environmental outcomes have been met. The relevance of available carcass detection methods such as use of ecologists, or detection dogs, and their application to this proposal are to be detailed.
- Ensure statements within the PBBMP are supported by citations to published studies or advice from relevant subject matter experts.
- Results from Bird and Bat Utilisation Surveys (BBUS) completed to date should be appended, including results of further inspection of potential nesting trees

(PNT) during breeding season for black cockatoos (November 2025) if available.

- Include bat call analysis results as an appendix to the BBUS report following standards outlined by the Australasian Bat Society '*Survey guidelines for Australia's threatened bats: Guidelines for detecting bats listed as threatened under the EPBC Act*' (Department of the Environment, Water, Heritage and the Arts 2010).
- Future BBUS should consider deployment of ultrasonic recorders on met masks to better measure bat flight height.

4. Timeframe for response:

You are requested to provide the information set out above by no later than **22 January 2026**. Please respond with either:

- (a) the information requested, or
- (b) advice that further information is not available and/or cannot be obtained.

Your response should be lodged via the Environment Online portal by uploading your response to RFI-0001014. Please quote 'APP-0032023' on any further correspondence.

The EPA will not make a determination on whether or not to assess the proposal until you have provided the requested information or advised the EPA that the information is not available and/or cannot be obtained.

Once the information or advice has been provided, the EPA will proceed to make its decision on whether or not to assess the proposal and the appropriate level of assessment, if applicable. You will be notified once the EPA has made a decision.

If you do not provide the requested information by the date listed above, the EPA may declare the referral to have been withdrawn and will write to you accordingly (s. 38F(4)).

Yours sincerely



**Mr Darren Walsh**  
CHAIR  
Environmental Protection Authority

27 November 2025