7 July 2026

Attention: DCCEEW
Re: Referral of Project Ares (EPBC Application 03507)

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I agree that Project Ares is a controlled action, but remain concerned the referral doesn't assess reasonably foreseeable pathways by which MNES may be affected. Several converge on Lake Woods.

Under *Minister for the Environment and Heritage v Queensland Conservation Council Inc* [2004] FCAFC 190 (*Nathan Dam*), reasonably foreseeable pathways require assessment as potential impacts of the action; uncertainty is a reason to assess, not to defer them.

The referral describes approximately 3,000 MWp solar, 16 GWh storage and approximately 1,038 MW of gas against a continuous facility load on the order of 1.2 GW. That storage provides under a day of autonomy, making the gas plant a co-primary, high-running source rather than a backup. Greenhouse emissions are not themselves a controlling provision, but this indicates the gas supply is integral to the action. It also bears on water: the referral gives only a single upper-bound operational figure (~4 GL/yr), with no breakdown by use and no stated cooling method, so it cannot be confirmed to account for a co-primary gas plant's cooling at realistic run-hours.

Recommendation: this project should be assessed by Environmental Impact Statement (EIS) at the highest level, on a defined scope.

Lake Woods

Lake Woods is nationally significant as a Directory of Important Wetlands site, a NT Site of Conservation Significance and a BirdLife Important Bird Area (up to 116,000 waterbirds). The referral states the eastern corridor (access track and gas pipeline) intersects the headwaters of Bucket Creek and Goochegoochena Creek, which drain to Lake Woods approximately 80 km downstream, and concedes that migratory-shorebird records for the area centre on Lake Woods. Yet it only considers impacts on the footprint.

Curlew Sandpiper, Sharp-tailed Sandpiper, Common Greenshank and Australian Painted Snipe are flagged as impacted but concluded "very low" without assessing the downstream pathway. The migratory-species table (§4.1.5) omits the Great Egret (*Ardea alba*) and Little Curlew (*Numenius minutus*), though both appear in the referral's own ecology report (Table 3-5) and Protected Matters Search Tool report (Appendix B). Note: Lake Woods is the only known inland breeding location for Great Egret.

The pathway is surface water; interception and contamination of Lake Woods' inflows.

Recommendation: Assess the downstream impact on s20 migratory species at Lake Woods, including those omitted from the referral.

Ecological baseline

The Terrestrial Ecology Report is desktop-only, and its study area is expressly the four infrastructure blocks. It doesn't examine the eastern access-road and pipeline corridor across the black-soil plains and Bucket Creek, where the referral locates the Grey Falcon, Plains Death Adder and four wetland/shorebird species. The report's likelihood table (Table 3-2) rates those six species "Low" or "None" across the blocks; higher likelihood arises entirely in the unsurveyed corridor. The principal species conclusions therefore rest on habitat inference over ground never surveyed.

Recommendation: Require field survey before the assessment approach is set; assess each species under the Significant Impact Guidelines, prioritising avoidance of impact.

Cumulative and whole-of-action impacts

The referral concedes the action is "related to other actions or proposals" and defers cumulative assessment to the EIS. That concession supports a comprehensive EIS. The specific matters must be scoped now. Cumulative impacts are of two kinds:

Procedural: Project boundaries must not exclude reasonably foreseeable consequences (*Nathan Dam*).

There are two such elements:

- The off-site gas trunk line which the referral itself states the action "relies upon"; and
- Project Sol's shared borefield, water supply and camp ("strategically co-located … to maximise shared use of non-process infrastructure").

These should be assessed as part of the action's impacts, not excluded by how the boundaries are drawn.

Substantive: The receiving environment bears the combined effect regardless of who builds what.

The Cambrian Limestone Aquifer (Wiso management zone) is drawn on by the action's borefield, by Project Sol, by a current application by Consolidated Pastoral Company to take over 10,000 ML for cotton, and by the plan's 10,000 ML/yr petroleum reserve allocation. Drawdown is a function of the total, not any single extraction. Lake Woods lies downstream of the combined catchment effects of these activities.

Recommendation: The scope should require both whole-of-action assessment of the reasonably foreseeable associated elements (gas supply, shared infrastructure), and substantive cumulative assessment of the combined effect on the aquifer and on Lake Woods.

Groundwater and contamination

Terrestrial GDEs are unlikely given the water table depth of more than 80 m. But the referral mistakes that as answering the whole question.

The Montejinni Limestone is "karstic and cavernous"; the ecology report at §2.8 records subterranean GDEs "have not been analysed". Peer-reviewed research (Oberprieler, Davis et al. 2021) sampled bores on stations immediately adjoining the project area and found the aquifer to be a highly connected karst system of caverns and channels through which water, matter and organisms move readily, supporting newly-described stygofauna. Currell and Ndehedehe (2022) record limited hydraulic data (no reported pumping-test program) and possible unmapped groundwater-dependent ecosystems, including springs in the western Wiso Basin.

The unassessed risk is contamination: karst gives little natural filtration, and a spill from the gas plant, chemical stores or pipeline could disperse rapidly through the aquifer. This is a risk the regional GISERA study of this aquifer identified.

Recommendation: Characterise the karst and its fauna, and assess the contamination pathway.

This action should be assessed by EIS at the highest level. But before that, a field survey is required to confirm the assessment approach. Scope should expressly require: downstream Lake Woods assessment (s20); a significant-impact assessment for each listed threatened species (s18); cumulative impacts (Ares, Project Sol, the gas trunk line, regional extraction); karst/GDE characterisation and the contamination pathway; and a whole-of-action treatment of the gas supply, with genuine avoidance prioritised over offsets.

s. 47(F)

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Sources

Energy North, *Project Ares* (solar, storage and gas capacities):
https://energy-north.com/projects/project-ares/
Project Sol (green ammonia):
https://energy-north.com/projects/project-sol/

Referral form Project Ares - for the staged-development / related-actions responses (§§1.2.2–1.2.6), the flora and fauna description and hydrology (§§3.2, 3.4), the threatened-species assessment (§4.1.4), and the migratory-species assessment (§4.1.5).

Attachment 3 - Terrestrial Ecology Report (EcOz): for the study area (§1.2, Blocks A–D); groundwater-dependent ecosystems (Executive Summary and §2.8); threatened-species likelihood of occurrence (Table 3-2); migratory species (Table 3-5); Protected Matters Search Tool report (Appendix B).

Attachment 1 - Figures: infrastructure layout (Figure 2); waterways and topography (Figure 5).

Environment Protection and Biodiversity Conservation Act 1999 (Cth), ss 18 and 20.

Minister for the Environment and Heritage v Queensland Conservation Council Inc [2004] FCAFC 190

Great Egret, *Ardea alba* (listed Migratory and Marine):
https://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=82410

Little Curlew, *Numenius minutus* (listed Migratory):
http://www.environment.gov.au/cgi-bin/sprat/public/publicspecies.pl?taxon_id=848

BirdLife International, Important Bird Area factsheet: Lake Woods; and the Directory of Important Wetlands in Australia (Lake Woods; NT Site of Conservation Significance)

KBA program:
https://www.keybiodiversityareas.org/site/factsheet/24556

Currell, M.J. & Ndehedehe, C.E. (2022), *The Cambrian Limestone Aquifer, Northern Territory: Review of the Hydrogeology and Management Rules to Ensure Protection of Groundwater Dependent Values*:
https://assets.pc.gov.au/__data/assets/pdf_file/0003/378660/sub54-water-reform-2024-attachment2.pdf

CSIRO / GISERA with Charles Darwin University, *Stygofauna and microbial assemblages of the Beetaloo Sub-basin* (2020):
fact sheet - https://gisera.csiro.au/wp-content/uploads/2021/02/20-00341_GISERA_FACTSHEET_SGW-NTStygofauna_WEB_210210.pdf
final report - https://gisera.csiro.au/wp-content/uploads/2021/03/GISERA-Project18-Stygofauna_final-report-20201208.pdf

NT Government, *State of the Water Resource — Georgina Wiso 2024-25*:
https://nt.gov.au/__data/assets/pdf_file/0008/1594214/state-of-the-water-resource-georgina-wiso-2024-25.pdf

NT Government, *Georgina Wiso Water Allocation Plan 2023–2031*: https://nt.gov.au/environment/water/management-security/water-plan/water-control-districts/daly-roper-beetaloo/planning-for-the-georgina-basin

Environment Centre NT, *Submission on Newcastle Waters and Tandyidgee Station Water Extraction Licence Applications* (2026):
https://www.ecnt.org.au/ecnt_submission_to_newcastle_waters_and_tandyidgee_station_water_extraction_licence_applications

Oberprieler, S., Rees, G., Nielsen, D., Shackleton, M., Watson, G., Chandler, L. & Davis, J. (2021), *Connectivity, not short-range endemism, characterises the groundwater biota of a northern Australian karst system*
https://www.sciencedirect.com/science/article/abs/pii/S0048969721040274

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LOCK THE GATE ALLIANCE
AUSTRALIANS WORKING TOGETHER TO PROTECT OUR LAND, WATER, AND FUTURE

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National Coordinator
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13 July 2026

EPBC Assessments
Submitted via public portal

Project Ares - Integrated Hyperscale Data Centre Campus (2026/10560)

Thank you for the opportunity to make this submission.

Lock the Gate Alliance (LTGA) is a network of over 120,000 farmers, Traditional Owners, conservationists and community members from across Australia, affected by and concerned about the impacts of coal and unconventional gas mining. We live and work in the communities affected by these industries and undertake research, advocacy and support to protect the environment, cultural heritage and society from damage. Many of our members are regionally-based, and are also experiencing first-hand the consequences of the global warming that has already occurred.

We agree with Energy North that **Project Ares - Integrated Hyperscale Data Centre Campus (2026/10560)** is a controlled action. A full environmental impact statement for the project is warranted. We hold particular concerns about the potential direct and indirect impacts this project would have on water resources in the Northern Territory in addition to its impacts on threatened species.

Direct impacts on water: operational water consumption is dependent on sensitive aquifers

Data centres are renowned for their intensive water use and that is a key risk for Project Ares. The project applications states:

- Water will be sourced from the Montejinni Limestone Aquifer in the Wiso Basin, with steady-state operational demand bounded at a conservative upper estimate of approximately 4GL/yr;
- Extraction of groundwater for potable uses and infrastructure cooling will…require monitoring to ensure extraction remains within sustainable yields to protect groundwater resources.
- A groundwater extraction licence is required for extraction from the Wiso Basin; a draft application has been lodged under the Georgina–Wiso Water Allocation Plan”

Considering the scale of water consumption from a relatively unexploited water source, and the possibility of impacts on surface water expressions that may be matters of national environmental significance, we urge the Commonwealth to ensure that there is comprehensive assessment of this aspect of the development.

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Indirect impacts on water: Project Ares will rely on fracked gas from the Beetaloo Basin

Lock the Gate Alliance has longstanding concerns about the risk that gas fracking poses to groundwater in the Northern Territory. Fracking the Beetaloo Basin threatens some of the most precious water sources in Australia, the recharge area for Mataranka Hot Springs, the mighty Roper River, Lake Woods, and groundwater that communities and pastoralists depend on. In addition, fracking uses vast amounts of water mixed with sand and chemicals, pumped deep underground at high pressure, producing toxic wastewater. It's a risky practice that requires large-scale groundwater extraction, penetration of beneficial aquifers with wells that can connect them with deeper hydrocarbon-bearing strata and the handling of large volumes of contaminated water on the surface

It is Energy North's intention that Project Ares will run at least in part on fracked gas from the Beetaloo Basin. They are proposing to construct 1,038 MW of gas-fired generation capacity and a gas supply spur pipeline to provide "firm power and independent backup" to Project Ares. The proponent states "Energy North is in advanced commercial discussions with potential gas suppliers and has been engaging with the NT Government regarding infrastructure interfaces relevant to the proposed action."

The volumes of fracked gas the project will consume are uncertain. The project proponent describes gas generation as providing both "firm power" and "independent backup." Table 1 shows potential gas use and emissions scenarios, demonstrating that the generator need only run for 3% of the year in order to trigger the Safeguard Mechanism facility threshold which applies to Australia's largest industrial emitters. Since the facility is intended to be a Tier 3 data centre, which "allows a maximum of 1.6 hours of downtime per year,"[1] it is expected the gas generators will run far more regularly than 3% of the year.

Table 1: Project Ares 1,038 MW gas generator: Gas consumption and emissions under different scenarios

Run time	Approximate gas use (PJ)[2]	Scope 1 emissions (tCO_2-e)
100% of year	80	4,114,151
25% of year	20	1,028,538
5% of year	4	205,708
3% of year	2	123,425

We urge the Commonwealth to ensure the highest scrutiny is applied to this project and that the proponent commit to obtaining free prior and informed consent. Should the project seem likely to harm water security or wildlife, or if it seems likely to facilitate intensification of fracking in the region, we urge the Commonwealth to refuse approval for it.

[1] https://www.nextdc.com/blog/understanding-data-centre-tiers
[2] Assuming reciprocating engines

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Environment Centre NT
protecting nature | living sustainably | creating a climate for change

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Referrals Gateway
Environment Assessment Branch Department of the Environment
GPO Box 787 Canberra ACT 2601

Via EPBC Act Public Portal

To whom it may concern,

RE: Project Ares - Integrated Hyperscale Data Centre Campus Referral of (EPBC Ref 2026/10560)

1. The Environment Centre NT (ECNT) is the peak community sector environment organisation in the Northern Territory of Australia, raising awareness amongst community, government, business, and industry about environmental issues, assisting people to reduce their environmental impact, and supporting community members to participate in decision-making processes and action.

2. We refer to the Invitation for Public Comment published on 29 June 2026 with respect to the referral made by Energy North Pty Ltd (**the Proponent**) for the "Project Ares - Integrated Hyperscale Data Centre Campus" (**the Proposed Action**) including:

   a. A referral form;
   b. Attachment 1 (Figures);
   c. Attachment 2 (Stakeholder Engagement Plan); and,
   d. Attachment 3 (Terrestrial ecology report);

   (together, **the Referral**).

3. The Proposed Action consists of the following components:

   a. A hyperscale data centre covering approximately 90 ha at full build-out;
   b. Solar PV generation reaching approximately 3,000 MW across approximately 6,000–7,000 ha;
   c. A co-located battery energy storage system (BESS), building to approximately 16 GWh;
   d. Gas-fired generation providing firm power and independent backup, approximately 1,038 MW at full build-out, together with a gas supply spur pipeline within the project area. While not made explicit in the Referral, it is assumed that this gas will be sourced from fracking projects in the region;
   e. A high-voltage on-site substation and internal electrical distribution;

f. A main access road, an internal road network of approximately 65–70 km, a rail siding connecting to the Tarcoola–Darwin Railway, a 2,000m sealed airstrip, a workforce accommodation village, and borefield, water treatment, storage and reticulation infrastructure; and
g. Internal telecommunications and fibre-optic infrastructure within the project area.

4. The Proponent calculates the Preliminary Disturbance Envelope at approximately 19,150 ha, and Attachment 1 (Figures) identifies a diversity of vegetation types within this area, including Coolabah, Lophostemon and Gutta Percha swamps, Corymbia/Eucalyptus woodland, tussock grassland, lancewood forest and bullwaddy shrubland. The eastern extent of the Project Area intersects the headwaters of drainage lines for Bucket Creek and Goochegoochena Creek, which drain into Newcastle Creek then Newcastle Waters and ultimately into Lake Woods 60km to the south.

5. The Proposed Action represents an unprecedented proposal in Australia. While the Project Referral Form describes the project sub-industry type as 'solar farm', in reality this project, if constructed, would be Australia's largest hyperscale data centre. It is the first of its size to be referred under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**), with a range of consequences for protected matters that have never been assessed by Australian regulators.

6. Relevantly, ECNT notes that the Senate Inquiry into Artificial Intelligence and Data Centres (**Senate Inquiry**) is due to report on 16 November 2026. The Terms of Reference for this Inquiry include:

    a. The effectiveness of existing regulatory frameworks in managing the growth of data centres in Australia, including in relation to existing and future deals between the Government and global Artificial Intelligence (AI) companies; and
    b. The potential impacts of AI and data centres on Australian communities, industries and the environment, water and energy.

Summary

7. ECNT submits that the Senate Inquiry is essential in ensuring that regulatory frameworks, including those established by the EPBC Act, are appropriate for assessing and managing the environmental impacts of hyperscale data centres, the potential impacts of which is set out in our Submission below.

8. It is our view that the potential significance of impacts of the Proposed Action have not been accurately described by the Proponent, as required by Schedule 2 of the *Environment Protection and Biodiversity Conservation Regulations* (2025) (**the Regulations**). ECNT submits that assessment of potential significant impacts based on a more complete Referral may demonstrate unacceptable impacts on matters of

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environmental significance (**MNES**) that may require the Minister to reject the project pursuant to s74B of the EPBC Act.

9. Notwithstanding the above, ECNT considers this project, on the basis of material presented in the Referral documentation alone, to present significant and potentially unacceptable impacts to Matters of National Environmental Significance (MNES).

10. ECNT submits that the Minister should request further information pursuant to section 76(1) of the EPBC Act, and that the request for more information – particularly in relation to the nature and extent of significant impacts on MNES – should be informed by the outcome of the Senate Inquiry into Artificial Intelligence and Data Centres and any other processes leading to the establishment of regulatory standards for hyperscale data centres in Australia.

Biodiversity impacts

11. Land clearing is acknowledged as a Key Threatening Process to threatened species (including in the Northern Territory) under the EPBC Act. Habitat loss and fragmentation, including due to land clearing, has long been recognised by the NT Government as a key threat to the NT's biodiversity.

12. Research undertaken for the NT Government has suggested that significant, landscape-scale (> 3000 ha) impacts on biodiversity may occur if more than 50% of native vegetation is cleared, potentially reducing biodiversity to "a point where some populations may fall to unsustainable levels"[1]

13. Data scarcity impacts the certainty with which threats to biodiversity can be assessed via desktop analysis. Records are virtually non-existent in some remote areas of the NT, particularly on pastoral land; plants, invertebrates and reptiles are particularly underrepresented. As a result, it is vital that comprehensive, species and site-appropriate species surveys inform decision making with regard to this project.

14. Land clearing applications and major projects in the vicinity of the project area threatened to amplify the impacts of the proposed activities. The proposed scale of land clearing at Muckaty[2] is well beyond the level that research shows will have a significant impact on regional biodiversity. On this basis ECNT submits that regional, cumulative impacts on protected matters should be addressed as a potential significant impact pathway in this Referral.

[1] Griffiths, A.D, et al (2009) Report to Land and Water Australia. Department of Natural Resources, Environment, the Arts and Sport, Darwin.
[2] ECNT (2025) Submission on the Referral of the Muckaty Solar Precinct Referral. Accessed via https://www.ecnt.org.au/muckaty_epbc_referral

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Direct impacts on Matters of National Environmental Significance

15. The proponent has identified the following listed species that may be significantly impacted by the proposed action:

    a) Greater Bilby (*Macrotis lagotis*) – Vulnerable
    b) Northern Blue-tongued Skink (*Tiliqua scincoides intermedia*) – Critically endangered.
    c) Grey Falcon (*Falco hypoleucos*) - Vulnerable
    d) Plains Death Adder (*Acanthophis hawkei*) - Vulnerable
    e) Sharp-tailed Sandpiper (*Calidris acuminata*) - Vulnerable, migratory
    f) Curlew Sandpiper (*Calidris ferruginea*) – Critically endangered, migratory
    g) Australian Painted Snipe (*Rostratula australis*) – Endangered
    h) Common Greenshank (*Tringa nebularia*) – Endangered, migratory

16. A total of 12 listed threatened species and 15 migratory species are presented in the EPBC Protected Matters search report included in Attachment 3 of the Referral.

17. The NT's lack of quality baseline data, long-term ecological monitoring, fine scale vegetation mapping means that the application of the precaution principle is critical to avoid unacceptable and significant impacts.

18. ECNT submits that the Proponent has not accurately represented the significance of risks associated with clearing and construction of the project for a number of species, nor engaged with relevant Conservation Advice and Recovery Plans in developing significant risk assessments.

19. Attachment 1 of the Referral documentation suggests the project location is the site of diverse and significant habitats but fails to acknowledge that those habitats may constitute habitat critical for the survival of some species.

20. Conservation Advice for the critically endangered Northern blue-tongued skink asserts that individuals of this species "move widely across savanna landscapes in the wet-season, but they spend an average of 95 % of their time in small, fragmented patches of relatively dense vegetation that provide cool, shaded, and damp conditions within an otherwise inhospitable landscape," and as such, "(a)reas of dense vegetation that provide cool and moist conditions within otherwise hot, dry, and flammable landscapes that are within the historical distribution of the northern blue-tongue skink (...) are habitat critical to the survival of this species."[3]

21. The Proponent has not described vegetation types in the project area with reference to Conservation Advice for the Northern blue-tongued skink, which is of particular concern given the apparent suitability of ephemeral wetland/floodplain areas to the southeastern extent of the project area for the species, where the Proponent

[3] Department of Climate Change, Energy, the Environment and Water (2023) Conservation Advice for Tiliqua scincoides intermedia (northern blue-tongue skink) p7

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proposes to establish a water bore. Drilling, pipelay, and extraction from this area may compromise local vegetation and reduce the suitability of this area as a place of refuge for the species and habitats critical for the survival of the species.

22. Similarly, the Recovery Plan for the Australian Painted Snipe – identified in the Referral Report as having a moderate or high likelihood of occurrence within the Preliminary Disturbance Envelope – establishes that "habitat critical to the survival of the Australian Painted Snipe can be considered to include: Any natural wetland habitat where the species is known or likely to occur (...) [and] (a)ny location outside the above area that may be periodically occupied by Australian Painted Snipe when wetland conditions are favourable." This should inform survey efforts to establish species likelihood, as "it is also important to note that the Australian Painted Snipe opportunistically uses areas depending on the occurrence of suitable wetland habitats and prey species. Areas that may be important habitat over time might not have birds in any given year." [4]

23. Conservation Advice for the Greater Bilby establishes, as an interim guide, that habitat critical for the survival of that species includes "(a)ny area where the species is known or likely to occur as shown on the distribution map on the greater bilby SPRAT profile(...), Any location outside the known or likely distribution where bilbies are found to occur, (a)ny area, between the areas noted above, that may be periodically occupied by bilbies [and] (a)ny area which bilbies may naturally colonise or may feasibly be reintroduced."[5]

24. Given that the project area, based on the above, overlaps with at least three habitats considered critical of the survival of listed species, ECNT submits that the Minister should direct the Proponent to consider site selection and a significant risks assessment in the context of Conservation Advice and Recovery Plans for relevant MNES, with a particular reference to impacts on critical habitat.

25. In addition to the direct impacts to critical habitats discussed above, we note that the Referral fails to identify and assess a range of significant impacts, including those related to heat generation, gas-fired power generation, solar power generation and water extraction, and the consequent cumulative impacts. These are discussed further below.

The Proponent has failed to address heat-related impacts of operation.

[4] Department of Climate Change, Energy, the Environment and Water (2022) National Recovery Plan for the Australian Painted Snipe, p12

[5] Department of Climate Change, Energy, the Environment and Water (2023) Recovery Plan for the Greater Bilby (Macrotis lagotis), p16

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26. Up to 90% of data centre electricity usage is estimated to be converted to low-grade waste heat,[6] reaching between 30 and forty degrees Celsius.[7] Researchers have found that land surface temperatures around data centres increase by an average of 2 degrees Celsius, with some areas recording increases as high as 9 degrees Celsius. These impacts are experienced up to 10 kilometers away from data centre facilities.[8] The proposed 7,000 ha solar PV array adjacent to the data centre facility may similarly contribute to localised upwards temperature pressures.[9]

27. As a result of climate change, the project area is already projected to experience a sharp increase in the number of days of extreme heat; the nearby town of Elliot is projected to experience an additional 35 days of >40 degree heat by 2050.[10]

28. The Proponent has not addressed the potential significant impacts of increased temperature in the area surrounding the project location; in fact, search for the term 'heat' in the Referral form yields zero results. On this basis ECNT submits that nature and extent of likely impacts of the Proposed Action have not been described in the Referral, as required by Schedule 2 of the *Environment Protection and Biodiversity Conservation Regulations* (2025).

29. Emerging research on how the Greater bilby responds to heat suggests that they retreat deeper into their burrows. While this could mean bilbies are well-prepared to protect themselves from short spikes in heat, they "may suffer if they cannot cope with the high nocturnal temperatures they are exposed to during foraging, particularly during prolonged heatwaves."[11] This is significant as the anticipated round-the-clock operation of the Proposed Action may significantly alter night time temperatures, with significant impacts on the ability of Greater bilby populations to engage in foraging activity.

30. The proponent indicated in the Referral that the Proposed Action has the potential to impact the Greater bilby due to loss of habitat, direct mortality and increase in predator populations. These are significant impacts that are amplified when considered in the context of additional pressures and behavioural changes that may result from increased heat.

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[6] Borland, P.L. et al. (2023) Assessment of the Potential to Use the Expelled Heat Energy from a Typical Data Centre in Ireland for Alternative Farming Methods *Energies 16*(18)
[7] Sweltering Cities (n.d.) Submission to NSW Parliamentary Inquiry into Data Centres. Accessed via https://swelteringcities.org/wp-content/uploads/2026/04/Sweltering-Cities-NSW-data-centre-inquiry-submission.pdf
[8] Marinoni, Andrea, et al. (2026) The Data Heat Island Effect: Quantifying the Impact of AI Data Centres in a Warming World. Preprint, accessed via https://arxiv.org/abs/2603.20897
[9] Barron-Gafford, G., Minor, R., Allen, N. et al. (2016) The Photovoltaic Heat Island Effect: Larger solar power plants increase local temperatures. *Scientific Reports* 6, 35070.
[10] Climate Justice Alliance NT (2025) NT temperature projections resource. Accessed via https://jss.org.au/policy-submissions/climate-justice-alliance-nt-temperature-projections-resource/
[11] Arid Recovery (2025) Can bilbies and rabbits beat the heat? Accessed via https://aridrecovery.org.au/news/2025/can-bilbies-and-rabbits-beat-the-heat

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31. ECNT submits that the Minister should require the Proponent to submit, at minimum, heat impact assessments for potentially impacted MNES in the vicinity of the project area, accounting for future climate data and the effects of an additional heat load on extreme heat days on MNES.

The Proponent has failed to address potential significant impacts associated with gas-fired power generation

32. ECNT submits that insufficient information has been submitted about the nature and impacts of planned gas-fired power generation. We note that projected gas-fired capacity is 1,038 MW, which far eclipses power generation for the entire Northern Territory.[12] We estimate that this scale of gas-fired power generation would generate in excess of 5Mtpa of CO2-e per annum if running at full capacity[13], and that even at 25% these emissions would exceed 1Mtpa.[14]

33. Such a project would likely trigger Referral under the EPBC Act in its own right, due to significant impacts on local populations of listed species and habitats critical to the survival of listed species, including but not limited to emission of air toxics, noise and light pollution, and planned and unplanned discharge of contaminants to terrestrial and aquatic environments.

34. We submit that the nature and significance of impacts of proposed gas-fired power generation have not been accurately described by the Proponent, as required by Schedule 2 of the Regulations.

The Proponent has failed to address potential significant impacts associated with the proposed solar array

35. Twenty-two migratory bird species, including 11 wetland species, have been recorded in a 50km vicinity of the project area. Lake Woods, 60km to the south-east of the project area, is an ephemeral freshwater lake that regularly supports large numbers of listed and migratory and regionally mobile wetland species.

36. Emerging research warns of risks to avian species, particularly water birds, from large-scale solar arrays. Many animals, including birds and insects, possess polarisation-sensitive vision and can mistake light reflected by solar arrays for open water surfaces. This 'Lake Effect Hypothesis' (**LEH**) represents an ecological trap risk for birds.

37. A 2024 report by the California Energy Commission found that "A large percentage of flying animals (perhaps 10 percent or more) approaching solar facilities from the north during daylight hours in the fall migration season were shown to descend toward facilities (...) perhaps most compelling, is the observed mortality of water

[12] Refer to overview of NT power generation at https://territorygeneration.com.au/about-us/our-power-stations/
[13] Based on calculated output of 80PJ
[14] Based on calculated output of 20PJ

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obligate species, which perish on dry land, found at PV solar facilities in desert environments without water. Taken together, these results are consistent with an operational lake effect hypothesis of avian mortality at arid solar facilities."[15]

38. ECNT submits that the Minister should require the Proponent to address the potential significant impacts of the proposed solar array component of the Proposed Action on MNES, including a specific LEH risk assessment.

Water Extraction and indirect impacts to MNES

39. The Referral states that the Proposed Action will extract approximately 4 GL of water per year from the Montejinni Limestone Aquifer in the Wiso Basin, part of the broader Cambrian Limestone Aquifer (**CLA**). The Wiso Basin is one of three basins across the CLA – the Daly, Wiso, and Georgina – which are connected to each other.

40. Throughflow of water between these basins is poorly quantified but, according to analysis by Prof. Matthew Currell and Dr Christopher Ndehedehe,[16] appears nonetheless to be a significant part of the water balance of the entire CLA. Flow of water between these basins has been generally found to flow in the north-westerly direction, with main discharge points being spring complexes to the north such as Mataranka and Flora Springs[17].

41. Overextraction from one basin within the broader CLA therefore has the potential to impact ecosystems and MNES sustained in each basin including the Tindall Limestone Aquifer and its discharge into the Roper River and associated aquatic ecosystems including springs, wetlands and billabongs such as the Nationally Important wetland -Mataranka Thermal Pools, Bitter Springs, Longreach waterhole, Warloch Ponds and Red Lily Lagoon.

42. It follows that impacts to these springs and waterways would have potentially significant impacts to MNES including but not limited to the vulnerable Speartooth Shark (*Glyphis glyphis*), the critically endangered Largetooth Sawfish (*Pristis pristis*), the endangered Pig-nosed Turtle (*Carettochelys insculpta*), the critically endangered Mitchell's water monitor (V*aranus mitchelli*), and a range of threatened and migratory bird species.

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[15] California Energy Commission (2024) Investigating the "Lake Effect" Influence on Avian Behavior From California's Utility-Scale Photovoltaic Solar Facilities. Accessed via https://www.energy.ca.gov/sites/default/files/2024-06/CEC-500-2024-055.pdf

[16]Currell, M.J., Ndehedehe, C., (2022) The Cambrian Limestone Aquifer, Northern Territory: Review of the Hydrogeology and Management Rules to Ensure Protection of Groundwater Dependent Values. Report prepared for Environment Centre NT. Accessed via https://assets.pc.gov.au/__data/assets/pdf_file/0003/378660/sub54-water-reform-2024-attachment2.pdf

[17] Evans TJ, Radke BM, Martinez J, Buchanan S, Cook SB, Raiber M, Ransley TR, Lai ÉCS, Skeers N, Woods M, Evenden C, Cassel R and Dunn B (2020) Hydrogeology of the Beetaloo GBA region. Technical appendix for the Geological and Bioregional Assessment: Stage 2. Department of the Environment and Energy, Bureau of Meteorology, CSIRO and Geoscience Australia, Australia.

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The Proponent must substantiate its estimated water extraction requirements.

43. We estimate that data centres of a similar size would ordinarily require 25ML for every megawatt of capacity. This would mean, based on historic data, that a project of this capacity would require 25GL of water per year.[18]

44. We recognise that data centre technology is evolving and new technologies are emerging to reduce water consumption from these facilities. However, the Proponent has not included information in the Referral about how it would achieve such a reduction.[19]

45. Given the considerable difference between the proposed extraction volume of 4GL and historic data centre consumption volumes, and the significant (in our submission, unacceptable) impacts of the larger extraction estimation on MNES, we submit that the Proponent should be directed to substantiate its estimate of water extraction required for the Proposed Action.

Significant impacts to MNES via groundwater impacts

<u>The Proponent has not adequately addressed the areas and MNES that may be significantly impacted</u>

46. Notwithstanding the above concerns about the veracity of water extraction estimates included in the Referral, ECNT submits that the Proponent has mischaracterised the potential significant impacts that could result from the Proposed Action's impacts on groundwater.

47. The Referral documentation takes a narrow approach to the potential geographic scope of water-related impacts, stating that "it is unlikely that significant groundwater dependent ecosystems (GDE) are present within the extent of the project area because vegetation typically cannot access groundwater reserves at aquifer depth greater than 20 m", and that there are no springs in the project area.

48. In restricting its assessment of potential impacts to GDEs and water resources to the project area, the Proponent has failed to account for the fact that impacts to groundwater are not bound by the terrestrial perimeters of projects and would extend far beyond what has been identified in this Referral as the 'Preliminary Disturbance Envelope', by virtue of inter-aquifer and inter-basin connectivity.

[18] Mytton, David (2021) Data Centre Water Consumption *Clean Water* 4 (11)

[19] We note that in its Referral to the Northern Territory EPA, that Proponent asserts that "The data centre cooling system will be designed to minimise water consumption. Direct liquid cooling, in which heat is removed directly from IT equipment using liquid coolant in closed loop, is the preferred cooling approach for the Project, consistent with emerging best practice for high-density AI and machine learning workloads." While this contains greater clarity than the information presented in the Referral currently under consideration, we are concerned about the lack of certainty afforded by this description of project infrastructure.

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Water governance frameworks in the Northern Territory are not adequate to protect against risks to MNES

49. The Proponent notes that pursuant to the *Water Act 1992* (NT), it will apply for a groundwater extraction licence for extraction from the Wiso Basin and that a draft application has been lodged under the Georgina–Wiso Water Allocation Plan (**Georgina Wiso WAP**).

50. ECNT submits that the Georgina Wiso WAP is an unsuitable basis for water licensing decisions, and by extension, for assessment of the risk of significant impacts on MNES under the EPBC Act.

51. ECNT has compiled a significant amount of expert evidence suggesting that the Georgina Wiso WAP is flawed and will lead to unsustainable extraction. The Georgina Wiso WAP, declared in 2023, was not made in consultation with an advisory committee[20] and contains significant flaws in the calculation of the Estimated Sustainable Yield (the amount of water determined "sustainable" to extract from the system).

52. In our 2022 submission[21] to the Northern Territory Department of Environment, Parks and Water Security's public consultation on the Georgina Wiso WAP, we demonstrated that:
    a) Knowledge of the water balance, hydrogeology and groundwater dependent ecosystems of the Georgina Wiso Basin are currently not sufficient to fully understand the effects of large-scale water extraction.
    b) There is considerable uncertainty associated with the recharge for the Georgina and Wiso Basins.
    c) It is unclear how or why the value of 40% of recharge was determined to represent a sustainable level of extraction.
    d) A report by Professor Matthew Currell and Dr Christopher Ndehedehe suggests that underestimated sustainable yield established in the Georgina Wiso WAP may lead to a situation where "significant aquifer overdraft may occur for many consecutive years (or decades) before the next episodic recharge event occurs."
    e) The depletion of storage in the Georgina and/or Wiso basins to the south would result in throughflow from these basins no longer sustaining the Tindall Limestone aquifer, and a change to net loss of groundwater throughflow.

[20] We note that this is inconsistent with the National Water Initiative (NWI), which states that water plans should be "developed in consultation with all relevant stakeholders on the basis of best scientific and socio-economic assessment, to provide secure ecological outcomes and resource security for users"
[21] ECNT (2022) Submission on the Draft Georgina Wiso Water Allocation. Accessed via https://assets.nationbuilder.com/ecnt/pages/761/attachments/original/1671167243/Submission_-_Draft_Georgina_Wiso_Water_Allocation_Plan.pdf?1671167243

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53. In addition to substantiating claims regarding required water extraction volume, ECNT submits that the Minister should direct the Proponent to include a risk assessment based on potential direct and cumulative impacts of water extraction from the Wiso basin.

Conclusion

54. The Referral has failed to address significant impacts associated with large-scale power generation, water extraction, and the operation of the data centre facility and solar farm. Individually and cumulatively, these activities may present unacceptable risks to protected matters, and it is imperative that the Minister seek further information from the Proponent to appropriately consider the acceptability of the Referred action with reference to s74B of the EPBC Act.

55. This Submission has outlined a series of recommendations in relation to information required about potential significant impacts, but we caution that the capacity of all stakeholders – including ECNT – to meaningfully engage in public consultation processes on this project is limited by the unprecedented nature of the proposal and limited public awareness of the range and nature of impacts. ECNT is deeply concerned that too little is understood about the nature of significant impacts of a hyperscale data centre of this nature; this uncertainty is reflected in major gaps in the Referral currently under consideration.

56. We urge the Minister to approach this Referral with caution, and request further information informed by not only this Submission but also the outcomes of the forthcoming Senate Inquiry.

57. We appreciate the opportunity to provide comment on this Referral and welcome further discussion of the concerns raised in this Submission.

Yours sincerely,

s. 47F(1)

Environment Centre NT.

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13 July 2026

Hon Murray Watt
Minister for the Environment and Water

Dear Minister

EPBC Public Submission in relation to Project Ares – Integrated Hyperscale Data Centre Campus (Project Ares) - EPBC Number: 2026/10560

1. The Northern Land Council (**NLC**) makes the following submissions to the Minister for the Environment and Water, the Hon Murray Watt, with respect to Referral Application Number 03507 dated 19 June 2026 (**Referral**) prepared by Energy North Pty Ltd (**Proponent**) regarding the development of the 'Integrated Hyperscale Data Centre Campus' (**Project Ares**).

2. The NLC is the Land Council under the *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth) (**Land Rights Act**) with functions to protect the interests of Aboriginal peoples, and the Representative Aboriginal and Torres Strait Islander Body under Part 3 of the Land Rights Act and Part 11 of the *Native Title Act 1993* (Cth).

3. The purpose of this submission is to inform the Minister's decision under s 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (**EPBC Act**), as to whether the proposed action is a 'controlled action' within the meaning of s 67 of the EPBC Act, and if so, which assessment approach should be applied under Division 3 of Part 8 of the EPBC Act.

4. As set out in this submission below, the proposed action should be considered a controlled action because two matters of national environmental significance may be significantly impacted, being:

    a. threatened species (pursuant to s 18 of the EPBC Act); and

    b. migratory species (pursuant to s 20 of the EPBC Act).

5. On such bases and for the reasons set out below, it is submitted that the suitable assessment approach to be applied under the EPBC Act should include a public inquiry[1] and an environmental impact statement[2] with terms of reference that address the items identified in this submission below.

[1] *Environment Protection and Biodiversity Conservation Act 1999 s 87(1)(e).*
[2] *Environment Protection and Biodiversity Conservation Act 1999 s 87(1)(d).*

6. If the Minister does not agree with this assessment approach, and instead considers it appropriate to defer to the assessment undertaken through the Northern Territory Environmental Protection Authority pursuant to the bilateral agreement between the Northern Territory and the Commonwealth, the Minister should ensure that any such assessment includes an inquiry and environmental impact statement on the terms of reference that address the items identified in this submission below.

7. The public notification period for this Referral did not provide the NLC with a reasonable opportunity to consult with native title holders and traditional Aboriginal owners about the Referral and obtain instructions. The NLC accordingly makes these submissions under its general retainer to assist the Top End PBC in its functions as agent for the native title holders, and also pursuant to its function under the Land Rights Act as outlined at paragraph [2] above, noting that:

    a. native title was recognised over the Murranji Pastoral Lease (upon which the project area of Project Ares is situated) pursuant to the Newcastle Waters–Murranji native title determination (DCD2007/002) in *King v Northern Territory* [2007] FCA 1498. Native title interests are held by a number of different estate groups; and

    b. the adjoining portions to the project area are located within the bounds of the Murranji Aboriginal Land Trust (NT Portion 3637) for the purposes of the Land Rights Act.

8. As outlined in the Proponent's 'Stakeholder Engagement Plan', the Proponent is also yet to undertake community and stakeholder engagement, including any engagement with local traditional Aboriginal owners. The NLC supports and encourages the Proponent's plans to work with the NLC to carry out such consultations in the coming months.

Proposed Action

9. For the purposes of this submission, the proposed action is the construction, operation and decommissioning of the 'hyperscale' data centre and all associated energy generation, energy storage and supporting infrastructure located within the project area, including:

    a. the construction of solar PV generation across 6,000 to 7,000 hectares;

    b. a co-located battery energy storage system (**BESS**), building to approximately 16 GWh;

    c. an on-site gas-fired generation power station and construction of a gas supply spur pipeline;

    d. a high-voltage on-site substation and internal electrical distribution;

    e. the construction of significant non-process infrastructure, including an internal road network, accommodation village and sealed airstrip;

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f. the clearing and development of an extensive area of land, spanning over the project area of 186,000 hectares (**Project Area**), noting that the 'Project Disturbance Envelope' is approximately 19,154 hectares; and

g. extraction of up to 4 GL/year of water sourced from the Montejinni Limestone Aquifer in the Wiso Basin,

(together, the **Proposed Action**).[3]

Controlled Action - Threatened Species

10. The Proponent has self-identified in its Referral that the Proposed Action is a controlled action with regard to its potential to impact eight threatened species. The NLC is supportive of such classification. As stated in the Proponent's referral, the Proposed Action has the potential to impact the Greater Bilby, Northern Blue-tongued Skink, Grey Falcon, Plains Death Adder, Sharp-tailed Sandpiper, Curlew Sandpiper, Australian Painted Snipe and Common Greenshank.

11. Any assessment of the controlled action described in paragraph [10] should consider and incorporate the following terms of reference:

a. **the novel size and scale of the Proposed Action -** having regard to the size and scale of the Proposed Action, there is a real chance or possibility that the Proposed Action will reduce the area of occupancy of an important population of the identified threatened species and adversely affect critical habitat of such species. Appropriate harm reduction and mitigation measures should be prepared in consultation with traditional Aboriginal owners;

b. **the lack of certainty regarding impacts to terrestrial ecosystems (including threatened species) -** only desktop reporting of the assessment of impacts to terrestrial ecosystems has been undertaken by the Proponent. As the Proponent notes, there remains uncertainty and insufficient information regarding the impacts of Project Ares on threatened species. Field surveys are yet to be undertaken to map the habitat of potential threatened species. The traditional Aboriginal owners have not been consulted about the potential impacts upon such threatened species. Further information must be provided to allow traditional Aboriginal owners to have free and prior informed consent (**FPIC**) to make decisions about the development of Project Ares. The NLC encourages the Proponent to continue to work with the NLC to ensure the traditional Aboriginal owners are appropriately consulted and involved in such processes, acknowledging that the Proponent has clearly committed to such FPIC principles;

c. **the need for further surveys and consultation to be conducted -** given the scale of the clearing and development, further surveys and consultation are critical, including with input

[3] Refer to the Referral at Item 1.2.1 for the "Proposed Action" as described by the Proponent, which is expressed in more detailed terms.

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from the traditional Aboriginal owners, in order to identify, avoid, mitigate and safeguard the significant impacts to threatened species. The NLC encourages the Proponent to ensure that the traditional Aboriginal owners are adequately consulted and involved in such processes;

d. **potential fire risks -** as the Proponent notes, the area is fire prone, with most of the area experiencing between six and fifteen fire events since 2000. Due to this relatively high fire risk, rigorous assessment of any additional fire danger caused by the type, scale and location of the project infrastructure (and any flow-on impacts to terrestrial ecology) must be conducted (for example, assessment of any additional fire risk associated with the BESS overheating, particularly given the high daily maximum temperature average in the region); and

e. **Greater Bilby Recovery considerations -** in considering the impact that land clearing has for the Greater Bilby, the Recovery Plan for the Greater Bilby (Macrotis lagotis) dated 12 April 2023 (**Greater Bilby Recovery Plan**) notes that "[l]and clearing leads to loss of habitat, degradation of surrounding habitat, increased predation and fragmented effects".[4] Given the impact of the Proposed Action on Greater Bilby habitat, the level of assessment adopted needs to ensure that any such risk of further habitat loss is appropriately identified and mitigated.

12. The terms of reference of any assessment must also consider the cultural significance of any threatened species to the traditional Aboriginal owners. This is supported by the objects of the EPBC Act in ss 3(d), (f) and (g) and the Interim Engaging with First Nations People and Communities on Assessments and Approvals under the EPBC Act (**Interim Guidance**).

Controlled Action - Migratory Species

13. The Proponent has identified three migratory species that may inhabit the affected area: the Sharp-tailed Sandpiper, Curlew Sandpiper and Common Greenshank. While the Proponent acknowledges that Project Ares has the potential to impact these migratory species, the Proponent submits that it does not consider that the proposed action will have a significant impact on such species.

14. This conclusion reached by the Proponent is concerning because:

a. **the lack of evidence, studies and consultation -** the desktop evidence that has been conducted is not sufficient to conclusively form such a view. Field surveys and consultation with traditional Aboriginal owners must be conducted in order to assess whether the three migratory shorebird species, or any other listed migratory species, will be significantly impacted by the project;

[4] Refer to section 5.3 of the Greater Bilby Recovery Plan

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b. **the scale of water extraction and the limited information relating to the impacts of such extraction -** the proposed extraction of up to four gigalitres of water each year is a significant amount of water. There is currently insufficient information available or provided by the Proponent regarding the impacts of water extraction on the surface water habitat of the migratory species in the eastern corridor of the Project Area or at other natural springs and wetlands. Given the semiarid climate of the region, the propensity for drought, the low average annual rainfall, and the cumulative impacts of other water intensive developments in the region, such risks should be rigorously assessed in consultation with the traditional Aboriginal owners and through an assessment by appropriately qualified experts. This assessment needs to consider the extent of existing and proposed water allocations in the region, on the basis that significant cumulative water extraction may have adverse consequences for the habitat of the listed migratory species (and other terrestrial ecology in the region).

15. As such, the Proposed Action should be considered a 'controlled action' due to the potential impacts of the intensive water extraction (whether direct, indirect or cumulative) upon the listed migratory species in the region, and the lack of evidence, studies and consultation regarding such potential impacts. For such reasons, the implementation of a rigorous environmental assessment should be conducted. The matters set out at paragraph [14] should be considered in framing the relevant terms of reference for such assessment. Such potential impacts should also invoke the precautionary principle under s 391(2) of the EPBC Act, given the threat of serious environmental damage and lack of full scientific certainty regarding the impacts of the Proposed Action.

16. It is further submitted that the Minister should consider the cultural significance of any impacted migratory species to the traditional Aboriginal owners. As noted above, this is supported by the objects of the EPBC Act and the Interim Guidance.

17. It is further emphasised that extensive surveys, studies, reporting and consultation with traditional Aboriginal owners needs to be conducted to ensure any risks can be identified, assessed, managed and mitigated. Such processes must comprehensively involve and engage with the traditional Aboriginal owners, to ensure FPIC in the project decision making process (such approach being broadly in line with the Proponent's stakeholder engagement framework and principles).

Further considerations

18. The NLC submits that any decision with respect to the environmental assessment process must acknowledge that local Aboriginal people have:

    a. experience of local environmental conditions and traditional ecological knowledge of species endemic to the region; and

    b. the capacity for research and management and can inform management actions to make them more locally effective.

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It is therefore critical to the conservation of the threatened and migratory species that environmental assessments of controlled actions encourage the inter-generational retention of traditional ecological knowledge and facilitate increased land management by Aboriginal people

Conclusions

19. For the reasons set out above, it is submitted that the Proposed Action is a controlled action on the basis that two matters of national environmental significance may be significantly impacted, being:

    a. threatened species (s 18 of the EPBC Act); and

    b. migratory species (s 20 of the EPBC Act).

20. An assessment on the referral information is not available to the Minister because the Proposed Action does not meet the criteria in r 5.03A of the *Environment Protection and Biodiversity Conservation Regulations 2025*, namely because the:

    a. potential scale and nature of the impacts of the action cannot be predicted with a high level of confidence due to the absence of systematic surveys;

    b. impacts are not short term or small in scale, nor could they be considered to be 'easily reversible';

    c. adequate information is not available about relevant impacts on the matters protected;

    d. action is likely to have a significant impact on a number of protected matters, including the above-identified threatened and migratory species;

    e. Proponent does not have a record of responsible environmental management and compliance with environmental laws (on the basis that this appears to be the first project to be developed by the Proponent); and

    f. degree of public concern about the action is likely to be high, given the novel nature of the project, the novel location of the project, and the recent response to the project by news organisations and third parties.

21. Taking these matters together, the NLC submits that the Minister should adopt a precautionary approach in accordance with s 391 of the EPBC Act by referring the Proposed Action to either a public inquiry[5] and an environmental impact statement[6] which includes terms of reference that address the matters addressed in the submission at paragraphs [11] – [18]. These processes would produce more accurate and site-specific data to ensure the Proposed Action does not have an unacceptable impact on threatened and migratory species for the purposes of ss 18 and 20 of the

[5] *Environment Protection and Biodiversity Conservation Act 1999 s 87(1)(e).*
[6] Ibid s 87(1)(d).

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EPBC Act, as well as provide the opportunity for key stakeholders to be consulted with, including the traditional Aboriginal owners.

22. Please direct any queries you have in relation to this matter to s. 47F(1) @nlc.org.au.

Yours sincerely

s. 47F(1)

Lawyer
Northern Land Council

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I am strongly opposed to this referral being accepted due the the far reaching environmental consequences it will have especially on emissions and Climate. The project will require more *energy than the whole of the NT,* impact approximately 19,150 ha of land, require 4 billion litres of water annually from the already over allocated Wiso Basin and un acceptable impact on aboriginal sacred sites.

The Northern Territory's largest water allocation plan the Georgina Wiso Water Allocation Plan allocates 210 billion litres of water for extraction per year.

Traditional Owners and environmentalists consider it the "worst water decision" and scientists are worried it could cause the Roper River to stop flowing.

Water will be sourced from the Montejinni Limestone Aquifer in the Wiso Basin, at a rate of approximately 4 GL/yr. The Montejinni Limestone Aquifer is part of the broader Cambrian Limestone Aquifer that is already at risk from over extraction for cotton, and contamination from fracking.

Energy North has not conducted a field survey for this referral, and the documentation relies on data from the SREBA and flora and fauna surveys conducted across Murranji Station and surrounds between 2020 and 2022 through the SunCable environmental impact assessment process.

Listed species including threatened EPBC Act endangered species are identified in the Referral identified as having a medium or high likelihood of occurrence:

- **Greater Bilby** (*Macrotis lagotis*)
- **Northern Blue-tongued Skink** (*Tiliqua scincoides intermedia*)
- **Grey Falcon** (*Falco hypoleucos*) (where access road and gas supply spur pipeline corridor intersectBucket Creek only)
- **Plains Death Adder** (*Acanthophis hawkei*) (where access road and gas supply spur pipeline corridorintersect black soil plains only)
- Four wetland birds (**Sharp-tailed Sandpiper, Curlew Sandpiper, Australian Painted Snipe and Common Greenshank**) (where access road and gas supply spur pipeline corridor intersect black soilplains which may provide temporary wetland habitat).
-

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The Referral documentation concludes that although the project area is expected to support “minor wetland habitat” that is subject to seasonal inundation, and that these may temporarily support suitable foraging and roosting habitat for migratory wetland species, these habitats are not unique or considered to be important migratory habitat.

The National Recovery Plan for the Greater Bilby states that *Land clearing leads to loss of habitat, degradation of surrounding habitat, increased predation and fragmentation effects (Bradley et al. 2015) Roads, rail lines fences, dams, mines and associated camps, pipelines and other industrial structures, agriculture, and settlements may threaten bilbies through vegetation clearance, increased risk of road kill, creating barriers to dispersal and gene flow, and elevated predator densities resulting from increases in food and water resources (Bradley et al. 2015).*

The Referral documentation notes that an AAPA Authority Certificate application will be lodged to address sacred sites clearance across the project footprint, and an Indigenous Land Use Agreement will be negotiated through the NLC. The project area contains recorded and registered sacred sites under the *Northern Territory AboriginalSacred Sites Act 1989* (NT), identified from the AAPA Abstract of Records (RI2025/748).

The Referral documentation does not provide information adequate for the Minister to make a decision; aside from the Referral Form, the Proponent has only supplied a short series of maps of flora and fauna, a desktop ecological assessment, and a stakeholder management plan – little information on the proposed infrastructure or its construction, operation and decommissioning.

The gas-fired generation for the project would be approximately 1,038MW at full build-out. To put that in perspective, Territory Generation owns 597.1 MW of installed capacity.

Project Ares, which would have significant off-grid gas powered generation and emissions, should not be moving along while there are still zero binding regulations to limit the impacts of AI data centres on our communities and environment.

This hyperscale project proposes massive new off-grid gas infrastructure, not the Federal Government’s unenforceable expectations that data centres will cover their own power use with renewables. Communities will pay the price for the data centre industry’s endless hunger for energy at any cost.

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This referral does not answer the questions about where this new gas would come from. Could it come from fracking the Beetaloo? Energy North have not explained how they will get this gas, or what the cumulative impacts of gas extraction, water extraction, and land clearing will be for the environment. Arguably, they should be treating the data centre and whatever fracking project they will be relying upon as one project and refer it as one project.

The Climate impact through emissions is unacceptable. Even running at 25% capacity, we understand that the gas-fired power would generate in excess of 1 million tonnes of CO2-e greenhouse gases

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Dear Minister,

A major worry to most Australians is the amount of energy and water data centres will use. The other worry is the government subsidies provided at tax payers expense and who will profit (and will they pay any tax) from the running of these data centres.

As the Australian population increases, we need to be mindful of the future, although unfortunately politicians and the voting cycle only allow for short term mindfulness and do not allow for long term critical thinking.

So before making any decisions, I implore you to put your long term goggles on and consider: will the water supply (in a drying climate) be enough just for the growing population into the future, will the data centres generate their own electricity and if not, be charged at a premium to offset public costs of power and reduce them? Who will profit and will the likes of Google, Microsoft, Facebook, Netflix etc, maximise on the taxation system in Australia which is woeful and pay no tax?

Please take these things into consideration when assessing data centres.

Yours sincerely

s. 47(F)

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Arid Lands Environment Centre

Office: 90 Gap Road, Alice Springs NT
13 July 2026 Mparntwe Alice Springs

EPBC Referral: Energy North "hyperscale" Data Centre

Introduction

The Arid Lands Environment Centre (**ALEC**) is Central Australia's community environmental organisation that has been advocating for the protection of nature and growing sustainable communities in the arid lands since 1980. ALEC is committed to confronting key threats to nature, water and climate which impact the ecological health of the arid and semi-arid lands and its communities. ALEC is based in Mparntwe Alice Springs and brings an environmental and climate justice lens to development proposals here in the Northern Territory.

ALEC strongly opposes fracking in the Beetaloo, including for use to fuel "hyperscale" data centres. ALEC does not support the deeply concerning increase in energy demand and consumption globally, powered by big tech and data centres, including the proposed construction of a massive gas-fired power station that is bigger than Australia's largest currently operating gas-fired power. Global efforts to reduce greenhouse gas emissions cannot be thrown away due to speculative capital accumulation and the emergent data centre industry on this continent. We strongly reject the unplanned development frenzy led by big tech and data centres, which will add yet more pressure on our climate, water and nature, already in crisis.

ALEC's Recommendation

Energy North 'Hyperscale" Ai Data Centre will have significant environmental impacts that are not adequately addressed in their referral. We agree with Energy North that Project Ares - Integrated Hyperscale Data Centre Campus (2026/10560) is a controlled action. A full environmental impact statement for the project is warranted.

The project has the potential to have significant impacts on water resources and threatened species. Additionally there are outstanding questions about the emissions generated by the project, which though not calculated by the proponent, are likely to overshoot the safeguard mechanism threshold. For these reasons ALEC recommends the project be considered a controlled action under the *Environment Protection and Biodiversity Conservation Act* 1999 and proceed to a formal assessment.

Use of fracked gas and associated emissions

The proponent states that Project Ares will be powered by an upstream gasfield, which given its location can be assumed to mean from the Beetaloo Basin. ALEC is firmly opposed to the development of a fracked gasfield in the Barkly and Gulf region, due to the unacceptable climate impacts of opening up a new gas basin, the risk of surface and groundwater contamination caused by fracking, and the concerns of Custodians and local communities about the impact fracking will have on cultural transmission, public health and social cohesion. Even if other environmental considerations were managed acceptably, we are opposed to Project Ares creating a market for the Beetaloo Basin gasfield.

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Quantity of gas use and of greenhouse gas emissions emitted from gas fired power generation

The gas-fired power station proposed by Project Ares is larger than Australia's biggest gas-fired power station at Torrens Island in South Australia, which has a current capacity of 800MW. To build what would be Australia's largest gas-fired power station by capacity in 2026 or beyond, is deeply concerning and problematic, when we need to drastically reduce our greenhouse gas emissions.

Whilst, the referral doesn't give a clear answer on what proportion of the project's energy use will be gas, instead leaving this open by describing gas generation as providing both "firm power" and "independent backup." However, given that they propose to construct 1,038 MW of gas-fired generation capacity and a gas supply spur pipeline to provide "firm power and independent backup" to Project Ares, we can assume the project will require a significant fracked gas input.

Potential gas use and emissions scenarios tabled below indicate that the generator need only run for 3% of the year in order to trigger the Safeguard Mechanism facility threshold which applies to Australia's largest industrial emitters. Since the facility is intended to be a Tier 3 data centre, which "allows a maximum of 1.6 hours of downtime per year,"[1] It is expected the gas generators will run far more regularly than 3% of the year.

Table 1: Project Ares 1,038 MW gas generator: Gas consumption and emissions under different scenarios

Run time	**Approximate gas use (PJ)[2]**	**Scope 1 emissions (tCO_2-e)**
100% of year	80	4,114,151
25% of year	20	1,028,538
5% of year	4	205,708
3% of year	2	123,425

Water Consumption and aquifer depletion

We hold significant concerns regarding the extraction of four gigaliters per year from the Montejinni Limestone southern part of the Cambrian Limestone Aquifer proposed in this document. This is a significant quantity, more than what greater Darwin uses in a month, according to NT Power and Water Corporation data.

If we accept the proponents' claim that there will be minimal ecological impacts to local groundwater drawdown due to the depth of the existing groundwater table being too deep to support local groundwater dependent ecosystems, questions about the wider impact of groundwater depletion remain.

The health and stability of the Cambrian Limestone Aquifer is far from certain, with widely differing views between academics and the Northern Territory government. Academics hold concerns that the

[1] https://www.nextdc.com/blog/understanding-data-centre-tiers
[2] Assuming reciprocating engines

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aquifer is depleting more than expected with normal drought cycles and that there are significant knowledge gaps in understanding of the interconnectedness of aquifers. Additionally, unpredictable climate conditions make groundwater recharge modelling difficult, increasing uncertainty. There will likely be compounding pressure on this aquifer in coming decades due to increased extraction for proposed horticulture, mining and petroleum operations. In this context the use of such a significant amount of groundwater which feeds such important places requires the utmost scrutiny and needs to be significantly better understood.

Land Clearing and Threatened Species

The project proposes significant land clearing that will impact eight threatened species, as listed in the referral, including the iconic but dwindling Greater Bilby. The referral accepts that the project will have a direct impact on these species. Such a proposal needs significant scrutiny to understand what the impacts will be and how, if at all, they can be mitigated.

The project's referral states that impacts on the threatened species on the site is not well understood and requires more research. The project assumes that land has been degraded based on desktop research relying on the Strategic Regional Environmental Baseline Assessment and due to it being a pastoral station, has not done on-site surveys.

The destruction of Greater Bilby and other fragile species habitat is an unacceptable risk for a project that will also deplete ground water, require fracked gas and with little returns of resources or prosperity to the community.

Conclusion: The rapid unmanaged development of AI data centres is creating unacceptable additional pressure on our climate, water and natural environment.

Currently there are limited laws and regulations surrounding data centres to limit their impacts on communities and ecosystems, with no limits on fossil fuels being used as a power source.

At the Australian Labor Party's national conference agenda this week, the government will be looking at options in regards to AI, with potential to expand its policy platform to encourage further oversight of safety risks and managing data centre's demand for electricity and water.[3] This is currently an evolving area of legislation, therefore data centre proposals must be met with significant caution.

A recent report by independent expert Ketan Joshi and Greenpeace Australia revealed how the frenzied rollout of AI data centres has the potential to set back the renewable energy transition, entrench gas and exacerbate climate change.[4]

ALEC is greatly concerned about this and recommends that data centre proposals need to be properly scrutinised to ensure no irreversible damage is done to communities and environments.

Kind Regards,

[3] https://www.abc.net.au/news/2026-07-13/data-centre-hyperscalers-target-northern-territory/106898282
[4] https://www.greenpeace.org.au/static/planet4-australiapacific-stateless/2026/05/1032fdf5-data-centres-report-greenpeace.pdf

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Arid Lands Environment Centre Team

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s. 47(F)

13 July 2026

Uploaded to: https://epbcpublicportal.environment.gov.au/all-notices/project-decision/?id=87be15f0-7173-f111-ab0f-002248989885

To Whom it May Concern,

Integrated Hyperscale Data Centre Campus (EPBC Ref 2026/10560)

INTRODUCTION

Thank you for the opportunity to comment on this proposal.

We firmly object to this proposal. It cannot be conducted safely as:

1. There is no binding National regulatory framework for AI data centres;
2. The framework to allocate water under the Georgina Wiso Basin Water Allocation Plan is inadequate;
3. It appears the Native Title holders have not been consulted regarding either sacred sites or cultural values or occurrence of listed species;
4. The full and compounding impacts of the proponents' ambitions for the Murranji, including Ammonia production under 'Project Sol' are not included in the proposal;
5. The compounding risks of nearby proposals like the Muckaty solar project are not considered.

Notwithstanding these general objections, we submit the proposal should be considered a controlled action under the EPBC act because of:

1. Risks to EPBC listed species;
2. Risks to migratory birds;
3. Downstream impacts on listed species inadequately protected ecological communities and impacts on subterranean fauna;
4. Risks to sacred sites and cultural values;
5. We also raise numerous concerns and flaws associated with the proposal, which will cause significant cumulative environmental impacts putting species and ecosystems at risk.

DISCUSSION

EPBC listed species at risk are inadequately described, not based on site data and unprecautionary

The Desktop assessment by Ecoz is insufficient and diminishes the threat posed to EPBC listed species.

It draws to heavily on the Beetaloo Strategic Regional Environmental Baseline Assessment. This is by definition is a regional report and unsuitable for a description of site impacts.

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It identifies only 3 species with suitable habitat greater bilby, northern blue-tongued skink and yellow spotted monitor at medium or high risk. No listed bird species are identified as being at a more than low risk. This is unconvincing, given the lack of field data and proximity to healthy lands on the Murranji Aboriginal Land Trust. Species for which there is suitable habitat should not be excluded without field data.

While it appears there were some local field studies done for bilbies for the SREBA, in general we understand little field work has occurred on site. We are therefore concerned that in section 2.7.1 of the Desktop Ecological Report reports seems to use back to front logic to infer there are no large trees with hollows and hence no risk of interfering with the many listed species that live in hollows because there are no records of any species that live in trees with hollows. Until relevant fauna and tree surveys are done species tree hollows and potential threatened species should be assumed as occurring and the risks significant.

We also note neighbouring properties with similar vegetation have records of other listed species like northern brush tail possum.

Given the enormity of this proposal, this application should have been informed by more than desk studies.

Culturally important species and insects not considered and could point to more EPBC listed species

The applicant has not sought advice from the Native Title Holders, nor drawn from resources like *Jingulu and Mudburra Plants and Animals: Biocultural knowledge of the Jingili and Mudburra people of Murranji, Marlinja, Warranganku (Beetaloo) and Kulumindini (Elliott) Northern Territory, Australia.* [1]

Furthermore application does not report consider culturally significant species and species that may be associated with sacred sites. Eg sugarbag on bloodwoods which are documented as being common across the area.

Risks to specific species – greater bilby

This area is clearly a stronghold for a species that is facing many threats across its range. Bilbies are already under severe threat from the nearby Muckaty solar precinct, which seeks to clear 1.5% of bilbies' remaining occupied habitat across Australia. This proposal adds to this tragey. This loss however is even more acute as it is concentrated on Mudburra country. The loss of bilby populations should be considered in the context of their loss on Mudburra lands.

Impacts on birdlife on site and in internationally significant wetlands and migratory birds covered under international agreements

1 https://www.researchgate.net/publication/330263590_2018_Jingulu_and_Mudburra_Plants_and_Animals_Biocultural_knowledge_of_the_Jingili_and_Mudburra_people_of_Murranji_Marlinja_Warranganku_Beetaloo_and_Kulumindini_Elliott_Northern_Territory_Australia

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US data estimated, an average 456 birds die per square kilometre of panels annually[2]. These figures cannot be directly translated to this extraordinary proposal of this scale, however these global averages applied to approximately 70 square kilometres of solar panels would predict an annual loss of more than 30,000 birds. This warrants extreme caution and the highest level of rigour in through the assessment process and consideration as a controlled action, given proximity of the site to Longreach waterhole, Lake Woods and probable flyways for migratory birds. This caution is not evident in the Ecoz Terrestrial Ecology Report.

Proximity to internationally important bird habitats Lake Woods, Longreach Waterhole and Newcastle Waters

Lake Woods is likely to meet at least five of the criteria for listing as a Wetland of International Importance under the Ramsar Convention, including criterion 1: rare or unique example of a wetland type; criterion 2: supports threatened species or communities; criterion 4: provides refuge or supports a critical life-cycle stage for important species; criterion 5: important wildlife aggregation site with >20,000 waterbirds; and criterion 6: regularly supports >1% of the individuals in a population[3]

The Ecoz ecological assessment does not seriously consider risks to species in these nearby internationally important wetlands*. A proposal of this size can be expected to have impacts on these nearby downstream receptors, especially given its proximity to drainage lines (Bucket Creek) and Mitchell Grass Downs areas that may be prone to inundation to the immediate east of the proposal. The threats to species occurring in these areas posed by this proposal need to be considered with mitigations proposed that offer satisfactory protections for EPBC Protected Matters.*

Impacts on migratory birds

At least 24 faunal species recorded at Lake Woods are listed under international conventions or bilateral agreements protecting migratory animals (Harrison et al. 2009)[4]. The location may also be directly underneath the flyways for migratory birds covered under international agreements.

We are concerned the Ecoz report underestimates the risks to migratory birds. In section 3.3 it states 'Generally, a project will not have a significant impact on migratory species unless there is important habitat for, and/or significant occurrences of, migratory species.' Given the vast solar arrays, and potential for the Lake Effect[5] *we dispute this conclusion. The applicant has not demonstrated the proposed solar panels are not a threat to passing migratory birds.*

[2] P.A. Fleming (2025) All that glitters – Review of solar facility impacts on fauna, Renewable and Sustainable Energy Reviews, https://doi.org/10.1016/j.rser.2025.115995

[3] https://territorystories.nt.gov.au/10070/532083

[4] Harrison, L., McGuire, L., Ward, S. Fisher, A., Pavey, C., Fegan, M. and Lynch, B. (2009) An inventory of sites of international and national significance for biodiversity values in the Northern Territory. Department of Natural Resources, Environment, the Arts & Sport, Darwin, NT https://territorystories.nt.gov.au/10070/622060.

[5] P.A. Fleming (2025) All that glitters – Review of solar facility impacts on fauna, Renewable and Sustainable Energy Reviews, https://doi.org/10.1016/j.rser.2025.115995

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Impacts on bats and insects[6]

In addition to birds, bats and insects are impacted by solar panels through habitat loss and fragmentation, altered microclimate, and creation of novel habitat. Many animals, including insects and birds, have well-tuned polarisation vision and use the information from polarised light for navigation and to locate resources Polarised light pollution i.e. “light that has undergone linear polarisation by reflecting off smooth, dark buildings, or other human-made objects” can represent an ecological trap for birds and insects. Solar panels would also reflect moonlight, and reflected polarised light from panels could be perceived as waterbodies by bats.

Finally, this application like every clearing application in the NT does not mention insects. This may include EPBC Act listed species, as well as species that are vital to ecosystem function and/or of cultural/sacred importance.

Impacts on water resources and groundwater dependent ecosystems

The Georgina Wiso Water Allocation Plan for the area lacks any environmental protections; does not make evidence based environmental or cultural water provisions; was written without the normal water advisory committee and gazetted without responding to the many public concerns raised during consultation.

These shortcomings were raised by the Productivity Commission in 2024:

The Commission assessed some processes for water planning in the Northern Territory as not NWI compliant. In particular, that water allocation plans are not binding on decision makers and that there is an absence of statutory protection for water allocations for the environment7

The problematic Georgina Wison Plan has not been redrafted. There remains no binding environmental protections.

Furthermore there water available for general consumptive uses is being rapidly taken up by big industries for no cost. There is 13,178 ML/yr available for this use but this is subject to recent applications like Dungowan Station (4,737 ML/yr). The 4GL/yr for this proposal, plus additional demand for the future Ammonia plant means that groundwater is rapidly being taken by a small number of very large industries.

Groundwater dependent ecosystems

Groundwater from the area is in a poorly defined flow system that eventually discharges to terrestrial or aquatic groundwater dependent ecosystems, like Flora River and Mataranka.

Subterranean groundwater dependent ecosystems can also be expected to occur in the limestone aquifer beneath the site and locally. *Subterranean GDEs are not considered in the ECOz report but should be. These may include rare or unknown species.*

[6] P.A. Fleming (2025) All that glitters – Review of solar facility impacts on fauna, Renewable and Sustainable Energy Reviews, https://doi.org/10.1016/j.rser.2025.115995

[7] https://assets.pc.gov.au/2025-10/Water%20refrom%20overview.pdf?VersionId=4HZvgnWAJvJDrFyvLgTepv1suFCHO6D_

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Groundwater Pollution risks

Management and disposal of saline brine
We are concerned that brine generated from use of groundwater for evaporated cooling could contaminate aquifer water quality, putting at risk and subterranean ecosystems, including rare species. It could also jeopardise the inherent values of the groundwater and potential for drinking

Pollution accommodation and infrastructure.
The proposal involves an enormous construction workforce of 4,300 personnel and up to 500FTE permanent workforce. This includes all the contamination risks associated with a small town like disposal of wastewater, and storage of contaminants associated with industrial uses/airfield. These introduce surface and groundwater contamination risks.

Surface water pollution risks to protected matters

Solar arrays of this scale can be expected to change the size and velocity of stream flows, risking erosion and flooding; and carrying sediments and other pollutants to Lake Woods. Surface water pollution risks can be expected from other industrial activities and large population at this site. As noted this location is in the catchment of Lake Woods and its significant tributaries. As these support important bird habitats, including threatened species and migratory birds covered under international agreements these risks need to be addressed through a surface water protection plan.

GHG Emissions

We object to the avoidable greenhouse gas emissions for an energy intensive data centre. There is insufficient industry legislation to ensure that energy demands are minimised or necessary (see below on lack of binding rules).

We also object to the GHG emissions from using fracked gas and land clearing. Emissions from clearing for 7,000 ha of solar panels, conservatively estimated at 100 tonnes/ha, represents emissions in the order of 700,000 tonnes of completely avoidable emissions. These will be incurred at a time when emissions are to be avoided. We understand in the NT these emissions are not required to be offset.

Cumulative impacts on Murranji Station and in region

This is not the only proposal for the Murranji Station – a large Ammonia production facility (Project Sol) is proposed. There is also the enormous Muckaty Station proposal, multiple large cotton irrigation proposals and fracking proposed/ underway in the region. This region is transforming with no proper considering of the consequences of inclusion of people most impacted.

All the proposals for Murranji should be considered at once.

Decisions for the region should not be made incrementally. A regional plan that is supported by the people from the region needs to be prepared first.

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Federal Governance AI Datacentre shortcomings

Lack of binding rules on data centres.

The Federal Government advice on datacentres is vague and compliance is voluntary[8]. The term 'should' is used throughout this guidance. There are no explicit laws and specifications regarding location, design, construction and operation and no single overarching Federal Approval required. The absence of specific guidance means there is immense uncertainty as to how this facility will be built, and no assurance that it can be regulated.

Two stand out concerns from the Federal guidance are the statements:"
1. "Energy-intensive data centre proposals not closely aligned with the expectations will not be prioritised by Commonwealth regulatory assessments." For proposals in the NT, where access to land, sun and water are free and largely unencumbered; and we are close to lucrative SE Asian markets this misunderstands the regulator proponent dynamic – these highly profitable global companies do not need support or prioritisation, they need strict regulation.

2. 'The expectations work alongside existing national, state and territory laws. They do not alter any obligations to comply with Australian law or to engage in good faith with regulators, including in areas relevant to data centres, such as data, cyber and national security, privacy and waste management.'

Without intending any disrespect to the NT Government it should be recognised that as a very small jurisdiction the NT is not well placed to regulate a rapidly changing, emergent industry with extremely powerful actors. Federal laws and regulations are needed. Recognising this proposal as a Controlled Action will facilitate proper Federal involvement in regards to EPBC Act Protected Matters.

Thank you for your consideration.

Kind regards,

s. 47F(1)
Co-administrators, Letters for the Environment Central Australia

Written with respect on unceded Central Arrernte lands

[8] https://www.industry.gov.au/publications/expectations-data-centres-and-ai-infrastructure-developers

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PROJECT ARES

A Proposal Built on Assumptions, Not Evidence

Submission on EPBC Referral 2026/10560

Submitted by: s. 47(F)

Date: July 2026

Request: That Project Ares be determined to be a Controlled Action and not approved in its current form pending further assessment.

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Project Ares: A Proposal Built on Assumptions, Not Evidence

Submission on EPBC Referral 2026/10560

Executive Summary

I object to Project Ares proceeding in its current form. My objection is not to economic development, but to approving a project of this scale before the proponent has demonstrated through complete evidence that impacts on groundwater, biodiversity, climate and Matters of National Environmental Significance can be avoided or acceptably managed.

Key Reasons

- Important aspects of the proposal remain preliminary, including elements of the project design, footprint and operational assumptions.
- The referral relies on future investigations, surveys and mitigation to resolve issues that should be addressed before approval.
- Targeted threatened species surveys remain incomplete, reducing confidence in conclusions about biodiversity impacts.
- The proposal includes significant groundwater extraction while key variables affecting long-term water demand remain unresolved.
- The referral does not sufficiently demonstrate long-term groundwater sustainability, cumulative impacts or resilience under climate variability.
- The project relies on significant gas-fired generation and should include a transparent lifecycle greenhouse gas assessment.
- Cumulative impacts from clearing, infrastructure, water extraction and energy generation require more detailed assessment.
- The claimed long-term public benefit should be balanced against the irreversible use of finite natural resources.

Controlled Action

The proposal has the potential to significantly impact Matters of National Environmental Significance through habitat disturbance, groundwater extraction and cumulative environmental effects. The acknowledged uncertainties justify determination as a controlled action requiring comprehensive assessment.

Requested Outcome

- Complete ecological surveys before approval.
- Undertake detailed hydrogeological modelling and independent review.
- Provide a lifecycle greenhouse gas assessment.
- Assess cumulative impacts across the full project.
- Confirm the final project footprint and operational water demand.
- Do not approve the proposal in its current form until these matters are resolved.

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EPBC Referral – Project Ares: Integrated Hyperscale Data Centre Campus (Energy North Pty Ltd)

Comment: The proposed Project Ares hyperscale data centre campus should be a controlled action under the *Environment Protection and Biodiversity Conservation* (EPBC) *Act 1999* and should be subject to the highest level of environmental assessment through a comprehensive Environmental Impact Statement (EIS) and Public Inquiry.

The scale, duration and cumulative impacts of this proposal are extraordinary. It represents one of the largest integrated developments ever proposed in the Northern Territory, with approximately 19,150 hectares of disturbance across a 186,000-hectare project area, up to 3,000 MW of solar generation, more than 1 GW of gas-fired generation, extensive battery storage, new transport infrastructure, groundwater extraction and long-term industrial operations extending beyond 30 years.

The referral contains insufficient evidence that impacts can be avoided or effectively managed, particularly regarding groundwater sustainability, biodiversity loss and cumulative environmental impacts.

Given the magnitude of the proposal, there is insufficient information within the referral to conclude that impacts on Matters of National Environmental Significance can be avoided or adequately managed. Instead, the referral raises significant concerns that warrant rigorous assessment under the EPBC Act.

The EPBC Act Significant Impact Guidelines require consideration not only of direct impacts, but also indirect, facilitated and cumulative impacts. At present, the referral provides insufficient evidence to conclude that these impacts have been adequately avoided, minimised or assessed. Instead, many significant issues are deferred to future investigations during the EIS process, reinforcing why the proposal should be declared a controlled action.

1. Unsustainable groundwater extraction and inadequate water management

Perhaps the greatest concern is the project's reliance on groundwater from the Montejinni Limestone Aquifer, part of the broader Cambrian Limestone Aquifer system.

The referral proposes an operational water demand of up to 4 GL per year, yet provides no meaningful strategy for minimising water consumption or reducing reliance on groundwater. There is no commitment to closed-loop cooling systems, advanced water recycling, wastewater reuse or any alternative technologies designed to substantially reduce extraction.

Instead, the proposal assumes that groundwater will simply be available throughout the life of the project. This approach is inconsistent with current understanding of groundwater vulnerability in northern Australia.

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Scientific work (CSIRO) has identified concerning trends across the Cambrian Limestone Aquifer system, including:

- declining groundwater storage associated with prolonged dry periods and changing rainfall patterns;
- slower recharge rates following extended drought;
- increasing cumulative extraction pressures from existing groundwater users;
- growing risks to groundwater-dependent ecosystems and dry-season river baseflows.

These concerns are particularly significant given climate projections for northern Australia, which indicate increasing temperatures, more variable rainfall and greater evaporative demand.

The referral does not adequately demonstrate:

- that extraction of up to 4 GL annually will be environmentally sustainable over several decades;
- how cumulative groundwater impacts have been assessed alongside existing and future users;
- how impacts on groundwater-dependent ecosystems will be avoided;
- what adaptive management measures would be implemented if groundwater levels decline faster than predicted.

Rather than proposing best-practice water stewardship, the referral effectively assumes continued extraction without demonstrating how the resource will be protected for future generations.

2. Unacceptable scale of land clearing and irreversible biodiversity impacts

The proposal contemplates disturbance of approximately 19,150 hectares, making it one of the largest land-clearing proposals associated with a single industrial development in Australia. While some areas are currently subject to pastoral use, this does not diminish their ecological value.

Northern Australia's ecosystems have already experienced substantial cumulative impacts from:

- pastoral development;
- altered fire regimes;
- invasive species including Buffel Grass and Gamba Grass;
- feral animals;
- water extraction;
- climate change.

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Against this backdrop, further clearing on this scale should be regarded as a significant cumulative impact rather than an isolated development footprint.

The referral contains little detail regarding:

- avoidance of high-value habitat;
- landscape connectivity;
- fragmentation impacts;
- cumulative impacts on threatened species;
- long-term ecological function across the broader landscape.

Importantly, the proposal appears to rely on future mitigation measures rather than demonstrating how impacts will be avoided in the first instance. For developments of this magnitude, avoidance should be the primary objective, not mitigation after the fact.

3. Environmental offsets cannot compensate for irreversible habitat loss

The proposal also raises broader concerns regarding reliance on offsets.

For landscapes already experiencing multiple cumulative pressures, it is increasingly clear that offsetting cannot recreate mature ecosystems or replace ecological processes lost through extensive clearing.

Many threatened species rely upon complex habitat characteristics that develop over centuries.

No "like-for-like" offset can immediately replace:

- mature woodland structure;
- ecological connectivity;
- groundwater-dependent vegetation;
- species interactions;
- ecosystem resilience.

Offsetting should not become a mechanism through which large-scale habitat destruction is considered acceptable. Where impacts are permanent and irreversible, avoidance should remain the dominant principle.

4. Greenhouse gas emissions are inconsistent with Australia's climate objectives

The proposal includes approximately 1,038 MW of gas-fired generation to provide firm and backup power.

Although described as "hydrogen-ready", there is no commitment regarding:

- when hydrogen would become available;

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- whether conversion would occur;
- what proportion of operations would ultimately rely upon renewable energy.

Accordingly, the project should be assessed on the basis of its actual proposed emissions, not its future aspirations.

This proposal combines:

- one of Australia's largest proposed industrial gas-fired generation facilities;
- extensive land clearing;
- significant groundwater extraction;
- long-term industrial operation over several decades.

Together these impacts contribute to climate change while simultaneously reducing the resilience of the ecosystems expected to absorb those impacts.

Climate change is already increasing:

- extreme heat;
- drought;
- bushfire intensity;
- ecosystem stress.

Projects that both contribute to greenhouse gas emissions and reduce ecosystem resilience deserve the highest level of environmental scrutiny.

5. Traditional Owner values require much stronger consideration

The referral acknowledges ongoing engagement with Traditional Owners but provides limited detail regarding how groundwater extraction and landscape modification may affect cultural values.

Groundwater is not simply an extractive resource. Across northern Australia, groundwater systems underpin culturally significant springs, waterways, landscapes and ecological processes that are intrinsically connected to Traditional Owner knowledge, culture and Country.

A project extracting billions of litres of groundwater annually over multiple decades should not proceed without demonstrating:

- comprehensive Traditional Owner engagement;
- assessment of cultural impacts associated with groundwater;
- protection of culturally significant groundwater-dependent places;
- incorporation of Indigenous knowledge into long-term water management.

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6. Cumulative impacts have not been adequately assessed

One of the most significant shortcomings of the referral is its treatment of cumulative impacts.

The Barkly region is already experiencing increasing environmental pressures from pastoral activities, groundwater extraction, invasive species, altered fire regimes and climate change. Rather than assessing the project within this broader landscape context, the referral largely considers each impact in isolation.

For example, groundwater extraction is assessed independently of existing and future demand on the Cambrian Limestone Aquifer system. Likewise, habitat clearing is considered primarily within the disturbance footprint rather than in the context of historic vegetation loss, invasive grass expansion and fragmentation across northern Australia.

The EPBC Act requires decision-makers to consider cumulative impacts where multiple pressures may combine to create significant effects. This is particularly important for ecosystems that are already stressed by climate change.

Without a robust cumulative impact assessment, it is impossible to conclude that the proposal will not significantly affect Matters of National Environmental Significance.

7. The project design is inconsistent with contemporary best practice for renewable-powered infrastructure

The proposal describes itself as being designed to transition towards renewable-powered operation, yet simultaneously includes over 1 GW of gas-fired generation as an integral component of the project.

While the gas generators are described as "hydrogen-ready", this is not equivalent to a commitment to operate on hydrogen. There are no defined milestones, conversion dates or enforceable requirements that would ensure such a transition occurs.

Accordingly, the environmental assessment should consider the project based on the infrastructure proposed today—not on future technologies that may or may not become commercially viable.

Large hyperscale data centres are increasingly incorporating innovative approaches to reduce environmental impacts, including advanced closed-loop cooling systems, recycled water, thermal storage, demand management and higher renewable utilisation. The referral provides little evidence that alternative designs aimed at substantially reducing water consumption and greenhouse gas emissions have been genuinely investigated.

Given the scale of the project, alternatives analysis should be a central component of the environmental assessment.

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Conclusion

Project Ares represents a proposal of exceptional environmental significance.

The Cambrian Limestone Aquifer is a strategic groundwater resource that supports ecosystems, pastoral enterprises, cultural values and future generations. Before allocating up to **4 billion litres of groundwater every year** to a single data centre, the proponent should demonstrate that **all feasible water-efficiency technologies, including closed-loop cooling, recycled water systems and water reuse, have been fully investigated and incorporated into the project design.** The referral does not presently demonstrate this.

The referral inadequately addresses:

- **Listed threatened species and ecological communities**: the referral should demonstrate impacts on all EPBC-listed species and ecological communities likely to occur in or use the project area, rather than only those recorded during surveys. The EPBC Act protects suitable habitat as well as known populations, and absence during surveys does not demonstrate absence from the landscape.
- **Migratory species**: the Barkly region is used by numerous migratory bird species, and the proposal should assess potential impacts from habitat loss, large-scale solar infrastructure, lighting, transmission infrastructure and collision risk.
- **The precautionary principle**: where there is scientific uncertainty about groundwater sustainability, climate impacts or biodiversity impacts, the EPBC Act requires a precautionary approach rather than assuming impacts will be acceptable if future management plans are developed.
- **Alternatives analysis**: the referral should justify why this location, this scale, this cooling system, this water source and this gas generation configuration represent the least environmentally damaging option. At present, that analysis appears largely absent.

Projects of this scale must demonstrate not only economic benefit, but also that they can operate within ecological limits. Based on the information currently available, that case has not been made. Instead, the proposal effectively privatises a public groundwater resource for the benefit of a private industrial development and its shareholders to satiate their thirst for Artificial Intelligence (AI). AI has no social licence. No one asked for it and our country's imperative is to decarbonise without continuing to destroy the very thing that keeps us alive – clean air, clean water, clean soil and healthy biodiversity.

s. 47F(1)

(Please de-identify as I do not wish for my name to be published online)

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Project Decision	Name	Comment	Is Controlled Action	Is Comment Confidential	Confidential Reason	Commenter Name	Commenter Email	Created On	Attachment URL (if applicable)
Invite Public Comment (s74(3)) (Referral)	Reject Project Ares	This is a controlled action as it facilitates the extinction of listed species, and will likely degrade conservation habitats, use too much ancient groundwater and trash our only safe climate	Yes	Yes	because i want it to be	s. 47F(1)	s. 47F(1)	13/07/2026 22:13	
Invite Public Comment (s74(3)) (Referral)	Project Ares: A Proposal Built on Assumptions, Not Evidence	Reasons why I believe Project Ares should be determined to be a Controlled Action. I believe Project Ares – Integrated Hyperscale Data Centre Campus should be determined to be a controlled action under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) because the referral itself identifies the potential for significant impacts on Matters of National Environmental Significance (MNES), while also acknowledging that important elements of the project remain unresolved. The referral proposes a development of exceptional scale involving extensive land clearing, substantial groundwater extraction, renewable energy infrastructure, gas-fired power generation, transmission infrastructure, roads and associated services. Individually and collectively, these components have the potential to affect nationally protected environmental values through habitat loss, habitat fragmentation, disturbance, altered hydrology and cumulative environmental impacts. Of particular concern is that the referral acknowledges important uncertainties remain regarding the final project design, disturbance footprint, operational water demand, ecological surveys and mitigation measures. The referral also indicates that targeted field surveys for several threatened species are yet to be completed and that further investigations are required before the extent of potential impacts can be fully understood. In my view, these admissions demonstrate that the environmental consequences of the proposal cannot yet be confidently assessed. The proposed extraction of groundwater from the Montejinni Limestone Aquifer also warrants careful consideration. While the referral describes the aquifer as a substantial groundwater resource, it does not conclusively demonstrate that the proposed extraction can occur over the life of the project without adverse impacts on groundwater-dependent ecosystems, future water availability or other environmental values. The long operational life of the project, combined with uncertainty regarding future climatic conditions, reinforces the need for a precautionary approach. The proposal's energy requirements also require closer scrutiny. Although the project incorporates renewable energy infrastructure, it also relies on significant gas-fired generation. A transparent assessment of the project's full greenhouse gas emissions, including construction, operation and associated fuel use, is necessary to properly understand its long-term environmental implications. I am also concerned that the referral relies heavily on future investigations, future engineering design and future mitigation measures to address issues that would ordinarily inform the assessment process. Environmental approval should be based on demonstrated evidence rather than assumptions that outstanding studies will resolve current uncertainties after approval has been granted. Given the scale of the proposal, the acknowledged uncertainty within the referral, and the potential for impacts on threatened species, ecological communities and other protected matters, I believe there is a real possibility that the action may have significant impacts on Matters of National Environmental Significance. For these reasons, I respectfully submit that Project Ares should be determined to be a controlled action requiring a comprehensive assessment under the EPBC Act before any approval is considered.	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 20:30	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Project Ares A Proposal Built_ _FCAE689BB67EF1119B48002248985F42/Project_Ares_Sub mission_With_Cover_Page_EPBC_2026_10560.docx
Invite Public Comment (s74(3)) (Referral)	Environment Centre NT submission on the Referral of the Project Ares project	See attached		No		s. 47F(1) on behalf of Environment Centre NT	s. 47F(1) @ecnt.org	13/07/2026 20:20	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Environment Centre NT submissi_F13B6735B57EF1119B48002248985F42/ECNT Submission on the Referral of Project Ares .pdf
Invite Public Comment (s74(3)) (Referral)	Integrated Hyperscale Data Centre Campus (EPBC Ref 2026/10560)	See submission. 1. Risks to EPBC listed species; 2. Risks to migratory birds; 3. Downstream impacts on listed species inadequately protected ecological communities and impacts on subterranean fauna; 4. Risks to sacred sites and cultural values; 5. We also raise numerous concerns and flaws associated with the proposal, which will cause significant cumulative environmental impacts putting species and ecosystems at risk. (Note this is resubmitted as unsure if attachment uploaded.)	Yes	No		s. 47F(1)	leca.nt.au@gmail.com	13/07/2026 17:09	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Integrated Hyperscale Data Cen_AF5C8F9D9A7EF1119B48002248985F42/Project Ares Integrated Hyperscale Data Centre Campus 202610560.pdf
Invite Public Comment (s74(3)) (Referral)	retry	I agree with the proponent: it is a controlled action. but I don't think that they have scoped it correctly. The question then is not just whether this is a controlled action, but what risks does the proponent need to consider. This requires us to look beyond the footprint, and consider pathways to impacts on MNES including the access road and pipeline corridor, and underground ecosystems. Here we should also consider reasonably forseeable project components; the cumulative impact of the proponent's other plans (Project Sol); and other thirsty demands on the same basin. I address these concerns in the attached document titled ProjectAresReferralComments.pdf I'm re-submitting the same document after initially trying last week because: * last time I used this web form (a CCUS referral) my contribution was somehow not recorded * this time (last week) the page glitched and the confirmation email did not acknowledge the attachment * my attempts to confirm with a human via email and telephone were left unresponded	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 16:27	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_retry_F3851AAA947EF1119B48002248985F42/Projec tAresReferralComments.pdf
Invite Public Comment (s74(3)) (Referral)	Northern Land Council submission in relation to Project Ares – Integrated Hyperscale Data Centre Campus	The proposed action should be considered a controlled action because two matters of national environmental significance may be significantly impacted, being: (1) threatened species (pursuant to s 18 of the EPBC Act); and (2) migratory species (pursuant to s 20 of the EPBC Act).	Yes	No		s. 47F(1)	s. 47F(1) @nlc.org.au	13/07/2026 16:24	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Northern Land Council submissi_C1B4103C947EF1119B48002248985F42/260713 - Project Ares - EPBC Referral Submission.pdf
Invite Public Comment (s74(3)) (Referral)	Arid Lands Environment Centre submission on Project Ares	Please find our submission attached.	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 14:47	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Arid Lands Environment Centre _F1CCF3B3867EF1119B48002248985F42/FINAL 260713 EPBC Referral_ Energy North "hyperscale" Data Centre.pdf
Invite Public Comment (s74(3)) (Referral)	Project Ares - Integrated Hyperscale Data Centre Campus	The potential site contains Listed species EPBC Act endangered species identified in the Referral identified as having a medium or high likelihood of occurrence: Greater Bilby (Macrotis lagotis) Northern Blue-tongued Skink (Tiliqua scincoides intermedia) Grey Falcon (Falco hypoleucos) (where access road and gas supply spur pipeline corridor intersectBucket Creek only) Plains Death Adder (Acanthophis hawkei) (where access road and gas supply spur pipeline corridorintersect black soil plains only) Four wetland birds (Sharp-tailed Sandpiper, Curlew Sandpiper, Australian Painted Snipe and Common Greenshank) (where access road and gas supply spur pipeline corridor intersect black soilplains which may provide temporary wetland habitat).	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 14:29	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Project Ares - Integrated Hype_A729683C847EF1119B48002248985F42/Ares submission - s. 47F(1) .docx
Invite Public Comment (s74(3)) (Referral)	Opposed	This project will have significant negative impact on the environment, the community and future generation. Data towers use a significant amount of resources in power and water, how are we appropriately going to control usage and ensure the environment and community are protected? There is a worldwide trend currently of data towers impacting lives negatively.	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 14:02	
Invite Public Comment (s74(3)) (Referral)	Integrated Hyperscale Data Centre Campus (EPBC Ref 2026/10560)	Refer submission. 1. Risks to EPBC listed species; 2. Risks to migratory birds; 3. Downstream impacts on listed species inadequately protected ecological communities and impacts on subterranean fauna that may threaten unknown and rare species; 4. Risks to sacred sites and cultural values; 5. We also raise numerous concerns and flaws associated with the proposal, which will cause significant cumulative environmental impacts.	Yes	No		s. 47F(1)	leca.nt.au@gmail.com	13/07/2026 13:05	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Integrated Hyperscale Data Cen_50AA6277787EF1119B48002248985F42/Project Ares Integrated Hyperscale Data Centre Campus 202610560.pdf
Invite Public Comment (s74(3)) (Referral)	No more data centres without thorough consultation	A major worry to most Australians is the amount of energy and water data centers will use. The other worry is the government subsidies provided at tax payers expense and who will profit (and will they pay any tax) from the running of these data centers. As the Australian population increases, we need to be mindful of the future, although unfortunately politicians and the voting cycle only allow for short term mindfulness and do not allow for long term critical thinking. So before making any decisions, I implore you to put your long term goggles on and consider: will the water supply (in a drying climate) be enough just for the growing population into the future, will the data centers generate their own electricity and if not, be charged at a premium to offset public costs of power and reduce them? Who will profit and will the likes of Google, Microsoft, Facebook, Netflix etc., maximize on the taxation system in Australia which is woeful and pay no tax? Please take these things into consideration when assessing data centers.	Yes	No		s. 47F(1)	s. 47F(1)	13/07/2026 13:00	https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_No more data centres without t_51BA9CBF777EF1119B48002248985F42/Data Centres.docx

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Invite Public Comment (s74(3)) (Referral)	Lock the Gate comment on Project Ares - Integrated Hyperscale Data Centre Campus (2026/10560)	Please see attached		Yes	No		s. 47F(1)	s. 47F(1)@lockthegate.org.au	13/07/2026 11:57 https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_Lock the Gate comment on Proje_3BD906FB6E7EF1119B48002248985F42/2026_10560 _Project Ares__LTG submission (2).pdf
Invite Public Comment (s74(3)) (Referral)	Feedback - Project Ares	Significant impact to water usage and nature. Groundwater shouldn't be used. If the project somehow goes ahead, use de-sal water.		Yes	No		s. 47F(1)	s. 47F(1)	12/07/2026 9:13
Invite Public Comment (s74(3)) (Referral)	Unacceptable Impacts	This project needs significantly more assessment and based on likely environmental impacts it seems that this project poses unacceptable risks to the environment. Some of these environmental risks include; Unclear and out of date information on water impacts Unclear impacts of gas extraction Listed species having a high likelihood of occurrence including grey falcons and numerous wetland species. Given the emerging and increasing threat of avian influenza, this project should not proceed even to a stage of further assessment until the risks on these avian species can be understood in the context of the avian influenza impact. The project is likely to impact wetland areas which will be so significant if we are to protect many native birds species from becoming endangered or extinct. Local heat impacts from data centres can also affect the behaviour of species such as bilbies including burrowing depth. It is not acceptable to further damage the habitat of these endangered animals nor place environmental stressors on them such as extreme heat in the context of climate change as well. There is insufficient information in the referral documentation to make a decision about the aforementioned impacts.		Yes	No		s. 47F(1)	s. 47F(1)	11/07/2026 19:00
Invite Public Comment (s74(3)) (Referral)	Project Ares - Integrated Hyperscale Data Centre Campus	Data Centres are resource hungry, taking far more from the environment and state/territory resources than cannot be even slightly and rightfully justified. They are not dentrimental to the healthy survival of people or the planet. They are not a high priority. We can survie without high tech.		Yes	Yes	I run a business and sadly people's judgement on one's politics, environmental opinions etc affect the business.	s. 47F(1)	s. 47F(1)	9/07/2026 19:51
Invite Public Comment (s74(3)) (Referral)	comments re project ares	I accept the proponent's recognition of controlled action. please find comments attached		Yes	No		s. 47F(1)	s. 47F(1)	7/07/2026 9:02 https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_comments re project ares_A054B8749F79F1119B48002248985F42/ProjectAresRe ferralComments.pdf
Invite Public Comment (s74(3)) (Referral)	This Data Cetre should be run in a 100% renewable manner	This scheme will burn gas thus contribute the more serious climate change. This is not necessary and will make our lives worse. This scheme uses massive amounts of water than many experts say will damage eco-systems. This is not necessary air-conditioning technology could be applied which would increase running costs that ought to be applied. Wasting good fresh water is a abuse the Australian resources. A better scheme. respecting the environment, would use 100% renewable energy. This is the real cost of building data centres.		Yes	No		s. 47F(1)	s. 47F(1)	5/07/2026 10:36
Invite Public Comment (s74(3)) (Referral)	Unintended consequences	Why does the government get to fastrack these projects for large corporations with no real public oversight or intervention. These projects should be put through decades of research on the potential impacts on the environment and local economy. Groundwater will be drawn down, effecting surrounding farmers supply and increasing their diesel usage for water supply. The enormous scale in hectares for these projects will acts a barrier preventing migration of critical species who use these areas for habitat. Increase in localised heat causing an impact on weather events effecting our sensitive ecosystems. Noise pollution. During high rainfall events how will high runoff be used and where will it be diverted. I dont object to solar panels that manage our system. I object to data centers and how it benefits outback economies.		Yes	Yes		s. 47F(1)	s. 47F(1)	2/07/2026 18:55
Invite Public Comment (s74(3)) (Referral)	2026/10560 should be rejected on the grounds that no alternative water plan has been proposed.	See reasons in attached submission. This proposal effectively privatises a public groundwater resource for the benefit of a private industrial development. The Cambrian Limestone Aquifer is a strategic groundwater resource that supports ecosystems, pastoral enterprises, cultural values and future generations. Before allocating up to 4 billion litres of groundwater every year to a single data centre, the proponent should demonstrate that all feasible water-efficiency technologies—including closed-loop cooling, recycled water systems and water reuse—have been fully investigated and incorporated into the project design. The referral does not presently demonstrate this.		Yes	Yes	I do not want my name published online.	s. 47F(1)	s. 47F(1)	30/06/2026 15:08 https://dcceew2.sharepoint.com/sites/EAP/mara_decisionc omment/2026-10560_Project Ares - Integrated Hype_202610560 should be rejected o_355C368D5274F1119B48002248985F42/EPBC Referral - Project Ares - Integrated Hyperscale Data Centre Campus.docx

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s. 22(1)(a)(ii)

From: s. 22(1)(a)(ii)
Sent: Monday, 29 June 2026 1:49 PM
To: EPBC Referrals; Minister.Bowen; EAD SA and NT Section; s. 22(1)(a)(ii)
Cc: s. 22(1)(a)(ii) ; s. 22(1)(a)(ii); s. 22(1)(a)(ii) ; s. 22(1)(a)(ii); s. 22(1)(a)(ii)
Subject: RE: Invitation to comment on Referral – Climate Change and Energy – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

OFFICIAL

No comments from Minister Bowen, thanks

OFFICIAL

From: EPBC Referrals <EPBC.Referrals@dcceew.gov.au>
Sent: Monday, 29 June 2026 3:38 PM
To: Minister.Bowen <Minister.Bowen@dcceew.gov.au>
Cc: s. 22(1)(a)(ii) @dcceew.gov.au>; s. 22(1)(a)(ii) @dcceew.gov.au>; s. 22(1)(a)(ii) @dcceew.gov.au>; s. 22(1)(a)(ii) @dcceew.gov.au>; s. 22(1)(a)(ii) @dcceew.gov.au>; s. 22(1)(a)(ii) @dcceew.gov.au>
Subject: Invitation to comment on Referral – Climate Change and Energy – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

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Australian Government
Department of Climate Change, Energy, the Environment and Water

The Hon Chris Bowen MP
Minister for Climate Change and Energy
Parliament House
CANBERRA ACT 2600

Date: 29 June 2026
EPBC Ref: **2026/10560**
EPBC contact: s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
EADSAandNTSection@dcceew.gov.au;
s. 22(1)(a)(ii)

Dear Minister

Invitation To Comment on Referral
Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT

Project industry type: Energy Generation and Supply (renewable), Solar Farm

Released by the National EPA under the FOI Act 1982

The Department of Climate Change, Energy, the Environment and Water (the Department) has received a referral of a proposed action from ENERGY NORTH PTY LTD for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Department is currently undertaking an assessment to decide whether this proposed action requires approval under the EPBC Act before it can proceed. The referral may be viewed or copied from the Department's website, https://epbcpublicportal.environment.gov.au/open-for-comments/[1].

I am writing to invite you to provide any relevant information as to whether you consider the proposed action is likely to have a significant impact on any of the matters protected under the EPBC Act.

In accordance with the EPBC Act, we need to receive your response by **13 July 2026.** Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to the Department:

by letter s. 22(1)(a)(ii)
Acting Director
NT Assessments Section
Environment Assessments West (WA, SA and NT) Branch
Department of Climate Change, Energy, the Environment and Water
GPO Box 858
CANBERRA ACT 2601

by email EADSAandNTSection@dcceew.gov.au; s. 22(1)(a)(ii) @dcceew.gov.au

If you have any questions about this process, please contact s. 22(1)(a)(ii) and quote EPBC 2026/10560.

For your information, the Department has published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines its commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: https://www.dcceew.gov.au/about/commitment/client-service-charter [1].

Yours sincerely

s. 22(1)(a)(ii)
A/g Director
Engagement & Referrals Gateway

[1] The Department recommends the use of Microsoft Edge, Google Chrome or Safari browsers to access these portals.

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s. 22(1)(a)(ii)

From: EPBC <EPBC@industry.gov.au>
Sent: Monday, 6 July 2026 2:12 PM
To: EAD SA and NT Section; s. 22(1)(a)(ii)
Cc: EPBC
Subject: RE: Invitation to comment on Referral – Resources and Northern Australia – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

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Good afternoon s. 22(1)(a)(ii),

Thank you for the opportunity to comment on 2026/10560, Project Ares - Integrated Hyperscale Data Centre Campus, NT.

Geoscience Australia notes the volumes of water anticipated to be utilised in an arid environment, along with Groundwater Dependent Ecosystems (GDE) in the vicinity of the project, and the potential groundwater drawdowns adjacent to the project area. As part of the self-assessed significant impact for Threatened Ecological Communities and Species, requiring further environmental impacts assessments, Geoscience Australia recommends considerations be made for potential impacts to GDEs via the groundwater resource related pathway.

Geoscience Australia's advice on Matters of National Environmental Significance relates to proposed nuclear actions, Commonwealth marine areas and actions likely to have a direct or indirect impact on a water resource from unconventional gas or large coal mining developments under Part 3 of the Environmental Protection and Biodiversity Conservation Act 1999. Geoscience Australia concurs with the proponent that the proposal is not associated with any of these three MNES and has no further comments.

Kind regards,

s. 47F(1)
Policy Officer

Minerals and Resources Division | Mining & Remediation Branch | Geoscience and Exploration
Department of Industry, Science and Resources
Email s. 47F(1) @industry.gov.au

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From: EPBC Referrals <EPBC.Referrals@dcceew.gov.au>
Sent: Monday, 29 June 2026 3:38 PM

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To: EPBC <epbc@industry.gov.au>
Cc: epbc@ga.gov.au
Subject: Invitation to comment on Referral – Resources and Northern Australia – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

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Australian Government
Department of Climate Change, Energy, the Environment and Water

The Hon Madeleine King MP
Minister for Resources and
Minister for Northern Australia
Parliament House
CANBERRA ACT 2600

Date: 29 June 2026
EPBC Ref: 2026/10560
EPBC contact: s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
EADSAandNTSection@dcceew.gov.au;
s. 22(1)(a)(ii)@dcceew.gov.au

Dear Minister

Invitation To Comment on Referral
Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT

Project industry type: Energy Generation and Supply (renewable), Solar Farm

The Department of Climate Change, Energy, the Environment and Water (the Department) has received a referral of a proposed action from ENERGY NORTH PTY LTD for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Department is currently undertaking an assessment to decide whether this proposed action requires approval under the EPBC Act before it can proceed. The referral may be viewed or copied from the Department's website, https://epbcpublicportal.environment.gov.au/open-for-comments/[1].

I am writing to invite you to provide any relevant information as to whether you consider the proposed action is likely to have a significant impact on any of the matters protected under the EPBC Act.

In accordance with the EPBC Act, we need to receive your response by **13 July 2026.** Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to the Department:

by letter s. 22(1)(a)(ii)
Acting Director
NT Assessments Section

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Environment Assessments West (WA, SA and NT) Branch
Department of Climate Change, Energy, the Environment and Water
GPO Box 858
CANBERRA ACT 2601
by email EADSAandNTSection@dcceew.gov.au; s. 22(1)(a)(ii) @dcceew.gov.au

If you have any questions about this process, please contact s. 22(1)(a)(ii) and quote EPBC 2026/10560.

For your information, the Department has published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines its commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: https://www.dcceew.gov.au/about/commitment/client-service-charter [1].

Yours sincerely

s. 22(1)(a)(ii)
A/g Director
Engagement & Referrals Gateway

[1] The Department recommends the use of Microsoft Edge, Google Chrome or Safari browsers to access these portals.

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s. 22(1)(a)(ii)

From: EPBC DAFF Referrals <epbc.DAFFreferrals@aff.gov.au>
Sent: Friday, 10 July 2026 7:25 AM
To: EAD SA and NT Section; s. 22(1)(a)(ii)
Cc: Lang, Sebastian; s. 47F(1) ; EPBC Referrals; EPBC DAFF Referrals
Subject: RE: Invitation to comment on Referral – Agriculture, Fisheries and Forestry – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

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Dear s. 22(1)(a)(ii)

I refer to the letter of 29 June 2026 from s. 22(1)(a)(ii) to the Minister for Agriculture, Fisheries and Forestry, the Hon Julie Collins MP, inviting comment under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) on the proposal from Energy North Pty Ltd to construct, operate and decommission Project Ares, an integrated hyperscale data centre campus, with associated energy generation and storage infrastructure, at Murranji Station in the Barkly Region of the Northern Territory, approximately 683 km south of Darwin (EPBC 2026/10560). Proposed activities include vegetation clearing, site preparation, construction, operation, maintenance, decommissioning and rehabilitation.

I note that controlling provisions can only be set to target impacts of the proposed action on Matters of National Environmental Significance, and any outcomes achieved for agriculture, fisheries and forestry are likely to be incidental rather than intentional. Notwithstanding, the Department of Agriculture, Fisheries and Forestry (the department) provides the following comments regarding potential impacts, considerations and recommended mitigation measures to support your assessment.

The referral states that the project area covers approximately 186,000 ha within Murranji Station, which is Crown land held under a perpetual pastoral lease and currently used predominantly for cattle grazing. I understand that the preliminary disturbance area is approximately 19,150 ha, and the proposed action would require subdivision, rezoning and conversion of the relevant tenure from pastoral lease to a Special Purpose Lease or Territory Lease to accommodate non-pastoral land uses.

The proposal would therefore result in a substantial change in land use across the disturbance footprint and remove part of Murranji Station from pastoral production for the life of the project—which is expected to exceed 30 years. While the referral indicates that the balance of Murranji Station would continue to be managed for pastoral grazing or retained as undisturbed habitat, DCCEEW should consider the implications of the proposed land use conversion for agriculture production and pastoral station operations (e.g. stock movements and access to watering points).

The referral describes some existing land degradation issues, including weeds, soil erosion, changes to soil surface structure and altered fire regimes, particularly around watering points. The department

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recommends that DCCEEW considers the importance of practical measures to address these pressures, including weed and pest animal management, erosion and sediment controls, dust suppression, fire management, progressive rehabilitation and monitoring. The proponent should also be encouraged to work with Territory Natural Resource Management (TNRM) to support effective long-term management of soil, water and biodiversity values across the site and adjoining pastoral landscape.

The referral indicates that operational water demand is conservatively estimated at up to approximately 4 GL per year, to be sourced from the Montejinni Limestone Aquifer in the Wiso Basin, with a groundwater extraction licence required under the NT *Water Act 1992*. Given the significance of this extraction rate and the importance of groundwater to pastoral operations and regional land use values, DCCEEW should ensure the assessment considers potential impacts on existing pastoral bores for stock watering and any connected surface water. The assessment should include transparent groundwater modelling, monitoring, trigger-action-response arrangements and contingency measures to protect neighbouring landholders and ongoing agricultural use.

I understand that the proponent has prepared a Stakeholder Engagement Plan and intends to undertake broader engagement with affected stakeholders through the EIS process, including adjacent pastoral landholders, Traditional Owners, the Northern Land Council, Barkly Regional Council and relevant community, industry and environment groups. The department recommends ongoing stakeholder engagement to manage important land use interface issues such as access, construction traffic, biosecurity, fire risk, groundwater use, rehabilitation, tenure conversion and the continuity of pastoral operations.

The referral outlines that end-of-life arrangements, including potential repowering after 30 years of operation or decommissioning and site rehabilitation, will be determined through detailed end-of-life planning. It also commits to progressive repair and rehabilitation during construction and operation, including minimising clearing to the extent required for the proposed action, repairing temporarily disturbed habitats and rehabilitating temporary disturbance areas. These commitments are welcome, but the department recommends DCCEEW considers whether further detail should be required through the EIS, including rehabilitation objectives, completion criteria, timeframes, monitoring and maintenance obligations, management of solar assets and other infrastructure at end of life, and clear arrangements to ensure disturbed land is made safe, stable and capable of supporting an appropriate future land use. Further details may also be required on how rehabilitation will maintain or restore soil condition, surface water flows, native vegetation and biodiversity values, and how these outcomes will be coordinated with ongoing pastoral land management and engagement with affected landholders and TNRM.

Thank you for the opportunity to comment on this proposed action.

Regards

Sebastian

Sebastian Lang
A/g Assistant Secretary, Sustainability Agriculture
s. 47F(1) **| E: sebastian.lang@aff.gov.au**

Department of Agriculture, Fisheries and Forestry
Sustainable Agriculture Branch | Sustainability, Climate and Strategy Division

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Agriculture House, 70 Northbourne Ave, Canberra ACT 2601
GPO Box 858, Canberra, ACT 2601 Australia

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From: EPBC Referrals <EPBC.Referrals@dcceew.gov.au>
Sent: Monday, 29 June 2026 3:38 PM
To: EPBC DAFF Referrals <epbc.DAFFreferrals@aff.gov.au>
Cc: Lang, Sebastian <Sebastian.Lang@aff.gov.au>; s. 47F(1) @aff.gov.au>
Subject: Invitation to comment on Referral – Agriculture, Fisheries and Forestry – (EPBC 2026/10560), Project Ares - Integrated Hyperscale Data Centre Campus, NT [SEC=OFFICIAL]

OFFICIAL

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Australian Government
Department of Climate Change, Energy, the Environment and Water

The Hon Julie Collins MP
Minister for Agriculture, Fisheries and Forestry
Parliament House
CANBERRA ACT 2600

Date: 29 June 2026
EPBC Ref: 2026/10560
EPBC contact: s. 22(1)(a)(ii)
s. 22(1)(a)(ii)
EADSAandNTSection@dcceew.gov.au;
s. 22(1)(a)(ii) @dcceew.gov.au

Dear Minister

Invitation To Comment on Referral
Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT

Project industry type: Energy Generation and Supply (renewable), Solar Farm

The Department of Climate Change, Energy, the Environment and Water (the Department) has received a referral of a proposed action from ENERGY NORTH PTY LTD for consideration under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The Department is currently undertaking an assessment to decide whether this proposed action requires approval under the EPBC Act before it can proceed. The referral may be viewed or copied from the Department's website, https://epbcpublicportal.environment.gov.au/open-for-comments/[1].

I am writing to invite you to provide any relevant information as to whether you consider the proposed action is likely to have a significant impact on any of the matters protected under the EPBC Act.

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In accordance with the EPBC Act, we need to receive your response by **13 July 2026.** Please quote the title of the action and EPBC reference, as shown at the beginning of this letter, in any correspondence. You can send information to the Department:

by letter s. 22(1)(a)(ii)
Acting Director
NT Assessments Section
Environment Assessments West (WA, SA and NT) Branch
Department of Climate Change, Energy, the Environment and Water
GPO Box 858
CANBERRA ACT 2601

by email EADSAandNTSection@dcceew.gov.au; s. 22(1)(a)(ii) @dcceew.gov.au

If you have any questions about this process, please contact s. 22(1)(a)(ii) and quote EPBC 2026/10560.

For your information, the Department has published an *Environmental Impact Assessment Client Service Charter* (the Charter) which outlines its commitments when undertaking environmental impact assessments under the EPBC Act. A copy of the Charter can be found at: https://www.dcceew.gov.au/about/commitment/client-service-charter [1].

Yours sincerely

s. 22(1)(a)(ii)
A/g Director
Engagement & Referrals Gateway

[1] The Department recommends the use of Microsoft Edge, Google Chrome or Safari browsers to access these portals.

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ntepa Northern Territory Environment Protection Authority

Arnhemica House
Level 1 16 Parap Road
Parap NT 0820
Postal address: GPO Box 3675
Darwin NT 0801
Tel: 08 8924 4140
Fax: 08 8942 6554
Web: www.ntepa.nt.gov.au

Our ref: 33-D26-11398
Your ref: EPBC2026/10560

s. 22(1)(a)(ii)
Acting Director
Environment Regulation
Environment Assessments West Branch
Department of Climate Change, Energy, the Environment and Water
GPO Box 858
CANBERRA ACT 2601

Dear s. 22(1)(a)(ii)

RE: PROJECT ARES - INTEGRATED HYPERSCALE DATA CENTRE CAMPUS, 18698 STUART HIGHWAY, TANAMI EAST, NT, EPBC 2026/010560

I refer to your email to the Northern Territory Environment Protection Authority (NT EPA), 29 June 2026, seeking comments on the above proposed action referred under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Staff of the Environmental Assessment Unit (EAU) of the Department of Lands, Planning and Environment (DLPE), on behalf of the NT EPA, have examined the referral documents for the proposed action and consulted with relevant Northern Territory Government agencies. Comments from the DLPE are provided at **Attachment A**.

The Flora and Fauna Division of DLPE considers that the proposed action may result in significant impacts on the Greater Bilby (*Macrotis lagotis*) and Grey Falcon (*Falco hypoleucus*). It is also considered that potential impacts to the Northern Brush-tailed Possum (*Trichosurus vulpecula arnhemensis*) and migratory water bird species are uncertain. They support the proponent's commitment to obtaining additional information throughout the completion on an environmental impact statement so that the potential for significant impacts to threatened species can be robustly assessed.

The Heritage Branch of DLPE confirmed that there are currently no recorded Aboriginal archaeological places or heritage places within the proposed development areas of NT Portions 851 and 908 that are protected under the EPBC Act. However, no archaeological surveys of the area have been conducted and clarifications are provided in **Attachment A**.

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The Water Resources Division noted no issues of concern requiring comment within their responsibilities.

On 6 July 2026, the NT EPA accepted the referral as a proponent initiated EIS for standard assessment under the *Environment Protection Act 2019* (EP Act). Government authorities and the public have been invited to comment of the referral, draft terms of reference for an assessment by EIS and draft statement of reasons. This consultation will close on 20 August 2026 and submissions received are required to published.

The referral under the EP Act indicated the proponent's desire for a bilateral assessment to apply. The Environmental Assessment Unit consider that the EPBC Act referral appears to be consistent with the EP Act referral.

The statutory timeframe for the NT EPA to make a decision whether environmental impact assessment is required, and if so, the method of environmental impact assessment, and if assessment is by EIS, approve the terms of reference (as published or with amendments), is 8 October 2026.

EAU will continue to engage with the proponent and your team regarding the proposed action.

Any queries related to this matter should be directed to s. 47F(1), Manager Environmental Assessment (Future Industries), on s. 47F(1) or eia.ntepa@nt.gov.au.

Yours sincerely



Lauren Townsend A/Executive Director Environment and Heritage

10 July 2026

Attachments
Attachment A – DLPE comments on Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT, EPBC 2026/10560

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Document 16

NORTHERN TERRITORY GOVERNMENT
Department of LANDS, PLANNING AND ENVIRONMENT

Level 1
Goyder Centre
25 Chung Wah Terrace

Postal address
PO Box 496
Palmerston NT 0831

E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

9 July 2026

Our Ref: DLPE2026/0264

s. 47F(1)
Environmental Assessment Unit
Department of Lands, Planning and Environment
GPO Box 3675
DARWIN NT 0801

Dear s. 47F(1)

Re: Invitation to comment on Referral – (EPBC 2026-10560) - Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT

The information submitted for the above referral has been assessed by the relevant divisions within the department and the following comments are provided:

Flora and Fauna Division

The threatened species listed in **Table 1** occur, or are likely to occur, within or immediately adjacent to the project area. This is based on a search of the Department of Lands, Planning and the Environment (DLPE) databases within a 50km radius of the area, expert knowledge of species' habitat requirements, and information about habitats occurring within the area. **Table 1** provides an assessment of the potential impact posed by the project on each species, based on the current available information (including that provided by the proponent).

Table 1 – Threatened species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) that are known to occur, or have a high potential of occurring, within or adjacent to the project area, including an assessment by the Flora and Fauna Division of the potential for significant impact from the project, based on current available information.

(Conservation status = VU - Vulnerable; EN - Endangered; CR - Critically Endangered; Mig – Migratory)

Common Name	Scientific Name	EPBC Act	Potential Impact
Australian Painted Snipe	*Rostratula australis*	EN	Uncertain
Common Greenshank	*Tringa nebularia*	EN/Mig	Uncertain
Curlew Sandpiper	*Calidris ferruginea*	CR/Mig	Uncertain
Gouldian Finch	*Chloebia gouldiae*	EN	Low
Greater Bilby	*Macrotis lagotis*	VU	High

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Common Name	Scientific Name	EPBC Act	Potential Impact
Grey Falcon	*Falco hypoleucus*	VU	Moderate
Northern Blue-tongued Skink	*Tiliqua scincoides intermedia*	CR	Low
Northern Brush-tailed Possum	*Trichosurus vulpecula arnhemensis*	VU	Uncertain
Northern Quoll	*Dasyurus hallucatus*	EN	Low
Northern Shrike-tit	*Falcunculus frontatus whitei*	VU	Low
Painted Honeyeater	*Grantiella picta*	VU	Low
Plains Death Adder	*Acanthophis hawkei*	VU	Low
Princess Parrot	*Polytelis alexandrae*	VU	Low
Red Goshawk	*Erythrotriorchis radiatus*	EN	Low
Sharp-tailed Sandpiper	*Calidris acuminata*	VU/Mig	Uncertain

Listed Threatened Species and Communities

The Flora and Fauna Division have reviewed the referral document and consider that, based on available information, there is potential for the project to have a significant impact on the Greater Bilby and Grey Falcon. The risk to several other species is uncertain (**Table 1**).

There are no listed threatened ecological communities in the vicinity of the project.

The Flora and Fauna Division agrees with the proponent that further information is required to confidently assess the significance of impacts to threatened species and considers that the proponent's intention to obtain the required information through the completion of an Environmental Impact Statement (EIS) is appropriate. The Flora and Fauna Division notes that the proponent states that the project has been referred to the Northern Territory Environment Protection Authority (NT EPA) under the *Environment Protection Act 2019* (EP Act) as a proponent-initiated EIS.

The Flora and Fauna Division generally agrees with the desktop assessment of the likelihood of occurrence of threatened species provided in the application. However, the Flora and Fauna Division provides further discussion on some of the identified species below.

Greater Bilby: This species is known to occur in the general area with recent records confirmed from targeted surveys. These records are part of the broader Tanami Desert population of Greater Bilby. This population is considered to be an 'important population' under the criteria in the Significant Impact Guidelines 1.1 – Matters of National Environmental Significance due to its size and being located on the edge of the species' range in the Northern Territory (NT).

The referral correctly identifies that there is potential for the project to have a significant impact on Greater Bilby through the loss of habitat, direct mortality and an increase in predators. The Flora and Fauna Division notes that this is one of a number of large projects proposed, or in development within Bilby habitat in this region, therefore assessment and management of potential cumulative impacts will be important.

Grey Falcon: The Flora and Fauna Division notes that the referral says that there is a moderate to high likelihood of occurrence for this species, whereas the 'Desktop Ecological

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Assessment' concludes that the likelihood is low. Given the large spatial scale and long duration of the project, the Flora and Fauna Division considers the Grey Falcon to have at least a moderate likelihood of occurrence within the project area and may have breeding sites within the area.

The referral discusses that the project area provides foraging habitat for the Grey Falcon but that "*nesting habitat is likely limited to areas associated with larger waterways supporting tall emergent trees*". Whilst the Flora and Fauna Division agrees that Grey Falcon nesting habitat includes tall trees along watercourses, the species may also nest in topographically prominent trees on low hills and rises as well as artificial structures such as telecommunications towers.

Due to the low fecundity of the species, active nests should be considered habitat critical to the survival of the species. Given the low fecundity, the interference to a single nesting pair of this species has the potential to have a significant impact. The Flora and Fauna Division recommends that the proposed field surveys are not focused solely on waterways but also incorporate other potential nesting areas as described above.

Northern Brush-tailed Possum: The 'Desktop Ecological Assessment' provided by the proponent concluded that the likelihood of occurrence of this species is 'none', due to records in the area being historical and the species now being known to not occur in the region (Table 3-2 and Appendix C). The Flora and Fauna Division notes that surveys undertaken in 2020 as part of the Strategic Regional Environmental and Baseline Assessment (SREBA) in the Beetaloo Sub-basin identified this species at a number of properties including Shenandoah Station, approximately 60km northeast of the project area. Although these records are shown in the NT Fauna Atlas as being the Common Brush-tailed Possum (*Trichosurus vulpecula vulpecula*), the Flora and Fauna Division considers the records are likely that of the Northern Brush-tailed Possum (*Trichosurus vulpecula arnhemensis*). Given this, and the same vegetation groups being mapped within Murranji Station, the Flora and Fauna Division considers that there is potential for this species to occur in the project area. Therefore, the occurrence, abundance and potential impact from the project on the Northern Brush-tailed Possum should be determined by the proponent.

Migratory Species (Sections 20 and 20A – EPBC Act)

Migratory shorebirds: Migratory shorebirds (and the partially migratory and nomadic Australian Painted Snipe) may occur intermittently within nearby suitable wetland habitat when conditions are suitable. The Flora and Fauna Division considers that the occurrence and risk to these species is uncertain, and further information is required to identify any important population(s) and/or habitat(s) in the area to assess the potential risk and impact from the project.

In relation to the 'Lake Effect Hypothesis' (LEH), whereby panel expanses may be mistaken for water by overflying waterbirds, the referral considers that the large-scale solar array associated with the project poses a low risk as it is to be located away from nearby wetland habitat and are distant from major waterbird aggregations such as those recorded at Lake Woods approximately 60km to the southeast.

Given that waterbird species undertake regional movements between waterbodies within the NT and other states, as well as moving through the area during trans-continental migrations, the distance to Lake Woods is relatively short and the likelihood that waterbirds regularly fly over the solar array is high. The Flora and Fauna Division notes that there are other large-scale solar arrays proposed in the region and that these should also be considered by the proponent when assessing the potential impact from the LEH.

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The Flora and Fauna Division have reviewed the referral and consider the risks associated with the project may result in a significant impact on the Greater Bilby and Grey Falcon. Risks to the Northern Brush-tailed Possum and migratory waterbird species (including the partially migratory and nomadic Australian Painted Snipe) are uncertain.

The Flora and Fauna Division supports the proponent's commitment to obtain additional information through the completion of an environmental impact statement so that the potential for significant impacts to threatened species can be robustly assessed.

Environment and Heritage Division

Heritage Branch

At the time of writing, there are no recorded Aboriginal archaeological places or heritage places within the proposed development areas of NT Portions 851 and 908 that are protected under the EPBC Act.

It is unclear whether any Aboriginal archaeological places within the proposed development area would meet the thresholds for protection under the EPBC Act, as there has not been an archaeological survey of the area. The proponent plans to undertake archaeological surveys, and the findings of these surveys will inform the question of whether there are Aboriginal archaeological places present, and whether they meet the thresholds for protection under the EPBC Act.

The application could make clearer the difference between archaeological places and sacred sites and the different legislative protections for these different types of heritage. For example, the Heritage Branch is responsible for administering the *Heritage Act 2011* which protects all provisionally declared and declared heritage places and provides automatic protection for all Aboriginal and Macassan archaeological places.

The application should specify that the person responsible for carrying out an archaeological survey should be a qualified archaeologist. Similarly, it should be an archaeologist rather than a 'qualified specialist' who provides advice about mitigation of impact to archaeological places (EPBC application section 3.3.2).

Water Resources Division

There are no issues of concern requiring comment within the responsibilities of the Water Resources Division in regard to matters for referral associated with EPBC 2026-10560 - Project Ares - Integrated Hyperscale Data Centre Campus, 18698 Stuart Highway, Tanami East, NT.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely



Maria Wauchope
Executive Director Land Resources

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Document 17

Outlook

Project Ares - Request for further information (EPBC 2026/10560)

From s. 22(1)(a)(ii) @nationalepa.gov.au>
Date Fri 7/24/2026 12:31 PM
To s. 47F(1) @energy-north.com>
Cc s. 47F(1) @ecoz.com.au>; EAD SA and NT Section <EADSAandNTSection@dcceew.gov.au>; s. 22(1)(a)(ii) @nationalepa.gov.au>

1 attachment (313 KB)
2026-10560 - Request for further information - Letter to proponent.pdf;

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Hi Daniel,

Thank you for your call earlier. As discussed, please find attached a request for further information. The statutory timeframes for both the referral decision and assessment approach decision have been paused and will remain paused until an adequate response to the information request is received.

Looking forward to your presentation on the 6 August at the Environment Assessment Forum organized by the NT DLPE.

Many thanks,

s. 22(1)(a)(ii)
Assessment officer

Environmental Regulation| Environmental Assessments West Branch | SA & NT Section
Ngunnawal Country, John Gorton Building, King Edward Terrace, Parkes ACT 2600 Australia
National Environmental Protection Agency
P s. 22(1)(a)(ii) | **E** s. 22(1)(a)(ii)@nationalepa.gov.au

Australian Government | NATIONAL ENVIRONMENTAL PROTECTION AGENCY

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Australian Government
National Environmental Protection Agency

EPBC 2026/10560

Energy North Pty Ltd
Suite A16, Level 3
435 Roberts Rd
SUBIACO WA 6008

Via email: s. 47F(1) @energy-north.com

Attention: Daniel Hunter, Vice President Environment Land and Stakeholder Relations

Request for further information for Project Ares, Integrated Hyperscale Data Centre Campus, Tanami East, Northern Territory

Dear Mr. Hunter

Thank you for referring Project Ares, Integrated Hyperscale Data Centre Campus in Tanami East, Northern Territory (NT) as a proposed action under section 68 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The National Environmental Protection Agency's (National EPA) initial examination of your referral indicates that there is insufficient information to allow us to consider all the relevant issues.

The National EPA notes that you are proposing to extract 4 GL of water per year from the Wiso Basin and requires further information on the impacts of the action on groundwater dependant ecosystems (GDEs) that are directly connected to the aquifer and may experience reduced discharge. These GDEs and rivers include Top Springs and Flora River.

The National EPA also requires further information regarding the impacts of significantly altered surface-water hydrology, due to landscape modification and the introduction of infrastructure to the upstream catchment, of Lake Woods which is located 60 km south-east of the proposed action area. Lake Woods is the largest ephemeral lake in the NT, is listed as a wetland of national significance in the Directory of Important Wetlands in Australia and is important for multiple EPBC listed species. The site provides foraging, roosting and refuge habitat during seasonal movements, and supports substantial numbers of shorebirds.

Under section 76 of the EPBC Act, I request further information in relation to relevant listed threatened species and ecological communities and migratory species, including:

1) A description on the likelihood of occurrence of the EPBC protected matters at Flora River and Top Springs GDE's including, but not limited to the following:

   a) Pig-nosed Turtle (*Carettochelys insculpta*) - Vulnerable

   b) Mertens Water Monitor (*Varanus mertensi*) - Critically Endangered

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c) Mitchells Water Monitor (*Varanus mitchelli*) - Endangered

d) Ghost Bat (*Macroderma gigas*) – Vulnerable

e) Northern brushtail possum (*Trichosurus vulpecula arnhemensis*) – Vulnerable

f) Gouldian Finch (*Chloebia gouldiae*) – Endangered

g) Crested Shrike-tit (northern) (*Falcunculus frontatus whitei*) – Vulnerable, Migratory

h) Northern Blue-tongue Skink (*Tiliqua scincoides intermedia*) – Critically Endangered

2) A description of the nature and extent of impacts on EPBC Act protected matters at the Flora River and Top Springs GDEs resulting from reduced groundwater discharge associated with the extraction of 4 GL of groundwater per year from the Wiso Basin.

   a) A description on the likelihood of occurrence of the EPBC protected matters at Lake Woods, including but not limited to the following:

      i) Little Curlew (*Numenius minutus*) – Migratory

      ii) Oriental Pratincole (*Glareola maldivarum*) – Migratory

      iii) Sharp-tailed Sandpiper (*Calidris acuminata*) – Migratory, Vulnerable

      iv) Common Sandpiper (*Actitis hypoleucos*) – Migratory

      v) Australian Painted Snipe (*Rostratula australis*) – Migratory, Endangered

      vi) Common Greenshank (*Tringa nebularia*) – Migratory, Endangered

3) A description of the nature and extent of impacts on EPBC Act protected matters at Lake Woods, and any relevant tributaries (Bucket Creek and Goochegoochena Creek and Newcastle Creek), resulting from significant altered surface-water hydrology which may occur with the landscape modification and the introduction of infrastructure as a result of the proposed action.

Please note that the timing for a decision on your referral stops on the date of this letter and restarts once satisfactory information has been received and any outstanding fees have been paid, if not exempt or waived. If the proposed Action is determined to be a controlled action, the timing for a decision on an assessment approach also stops on the date of this letter.

The National EPA will let you know whether or not approval is required under the EPBC Act as soon as a decision is taken.

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If you have any questions about the process or this request for information, please contact the department's assessment officer, s. 22(1)(a)(ii) , by email to EADSAandNTSection@dcceew.gov.au and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



Kylie Calhoun
Branch Head
Environment Assessments West

24 July 2026

Cc: s. 47F(1) @ecoz.com.au

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