



## VARIATION OF CONDITIONS ATTACHED TO APPROVAL

### Rye Park Wind Farm, Rye Park, NSW (EPBC 2020/8837)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

#### Approved action

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<b>Approval holder</b>	<b>Name:</b>	<b>Rye Park Renewable Energy Pty Ltd</b>
	<b>ABN:</b>	34 601 541 931

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<b>Approved action</b>	To construct and operate a wind farm with up to 77 wind turbines, and associated infrastructure at Rye Park, New South Wales [See EPBC Act referral 2020/8837].
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#### Variation

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<b>Variation of conditions attached to approval</b>	The variation is:  Delete condition 22 attached to the approval and substitute with the condition specified in the table below.  Delete the maps at Appendix B attached to the approval and substitute with the maps specified in the table below.
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<b>Date of effect</b>	This variation has effect on the date this instrument is signed
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#### Person authorised to make decision

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<b>Name and position</b>	Kim Farrant Assistant Secretary Environment Assessments (Vic, Tas) and Post Approvals Branch
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**Signature**

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<b>Date of decision</b>	30 June 2022
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Date of decision	Conditions attached to approval
Original dated 1/06/2021	1. The approval holder must not construct more than 77 wind turbines within the <b>project area</b> .
Original dated 1/06/2021	2. The approval holder must not <b>clear</b> within the <b>project area</b> , except: <ul style="list-style-type: none"> <li>a. within the area labelled as 'Project area - Road Upgrades' as shown on the maps in <u>Appendix A</u> and <u>Appendix B</u>; and</li> <li>b. <b>HBTs</b></li> </ul> unless the Offset Strategy required under condition 13 has been approved by the <b>Minister</b> .
Original dated 1/06/2021	3. The approval holder must not <b>clear</b> more than: <ul style="list-style-type: none"> <li>a. 35.73 ha of <b>Box Gum Woodland</b>;</li> <li>b. 20.08 ha of <b>Superb Parrot habitat</b>;</li> <li>c. 233 <b>HBTs</b>;</li> <li>d. 85.28 ha of <b>Golden Sun Moth habitat</b>; and</li> <li>e. 43.29 ha of <b>Striped Legless Lizard habitat</b></li> </ul> within the <b>project area</b> .
Original dated 1/06/2021	4. The approval holder must not <b>clear</b> any <b>confirmed Superb Parrot nest trees</b> within the <b>project area</b> .
Original dated 1/06/2021	5. To mitigate unavoidable <b>impacts to protected matters</b> , the approval holder must submit a Biodiversity Management Plan (BMP) for the <b>Minister's</b> approval prior to the <b>commencement of the action</b> .
Original dated 1/06/2021	6. The approval holder must not <b>commence the action</b> unless the <b>Minister</b> has approved the BMP in writing. The approval holder must implement the approved BMP.
Original dated 1/06/2021	7. The BMP must be consistent with the <b>department's Environmental Management Plan Guidelines</b> , and must include: <ul style="list-style-type: none"> <li>a. The BMP environmental objectives, relevant <b>protected matters</b> and a reference to <b>EPBC Act</b> approval conditions to which the BMP refers;</li> <li>b. A table of commitments made in the BMP to achieve the objectives, and a reference to where the commitments are detailed in the BMP;</li> <li>c. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the BMP;</li> <li>d. An assessment of risks to achieving the BMP environmental objectives and strategies that will be applied to manage risks;</li> <li>e. <b>Impact</b> avoidance, mitigation and/or repair measures, and their timing, including: <ul style="list-style-type: none"> <li>i. details of pre-clearance surveys;</li> <li>ii. rehabilitation and revegetation measures;</li> <li>iii. erosion and sediment control measures;</li> <li>iv. weed management measures;</li> </ul> </li> </ul>

Date of decision	Conditions attached to approval
	<ul style="list-style-type: none"> <li>v. management measures to prevent the introduction or spread of <i>Phytophthora cinnamomi</i>;</li> <li>vi. measures to protect <b>retained Superb Parrot nest trees</b>;</li> <li>vii. details of buffer zones or 'no-go zones' within the <b>project area</b>;</li> <li>f. A monitoring program, which must include: <ul style="list-style-type: none"> <li>i. measurable performance indicators;</li> <li>ii. the timing and frequency of monitoring to detect triggers and changes in the performance indicators;</li> <li>iii. trigger values for corrective actions; and</li> <li>iv. proposed corrective actions if trigger values are reached.</li> </ul> </li> <li>g. A protocol for <b>clearing HBTs</b> to prevent harm or injury to any <b>EPBC Act listed threatened species</b>; and</li> <li>h. Any links to other <b>plans</b> or conditions of approval (including State approval conditions).</li> </ul>
Original dated 1/06/2021	<p>8. To minimise <b>impacts to EPBC Act listed bird and bat species</b> during <b>commissioning</b> and <b>operation</b> of the wind farm, the approval holder must submit a Bird and Bat Adaptive Management Plan (BBAMP) for the <b>Minister's</b> approval prior to the commencement of <b>commissioning</b>. The BBAMP must ensure that the <b>commissioning</b> and <b>operation</b> of wind turbines is managed, monitored and limited such that <b>impacts to EPBC Act listed bird and bat species</b> are reliably detected, quantified, reported and responded to.</p>
Original dated 1/06/2021	<p>9. The approval holder must not commence <b>commissioning</b> unless the <b>Minister</b> has approved the BBAMP in writing. The approval holder must implement the approved BBAMP.</p>
Original dated 1/06/2021	<p>10. The BBAMP must be consistent with the <b>department's Environmental Management Plan Guidelines</b>, and must include:</p> <ul style="list-style-type: none"> <li>a. The environmental objectives of the BBAMP, relevant <b>EPBC Act protected matters</b> and a reference to where each relevant <b>EPBC Act</b> approval condition is addressed in the BBAMP;</li> <li>b. A table of commitments made in the BBAMP to achieve the environmental objectives, and a reference to where the commitments are detailed in the BBAMP;</li> <li>c. An assessment of risks to achieving the BBAMP environmental objectives and strategies that will be applied to manage risks;</li> <li>d. A proposed program of monitoring to detect or reliably estimate all collisions with <b>EPBC Act listed bird and bat</b></li> </ul>

Date of decision	Conditions attached to approval
	<p><b>species.</b> The approval holder must provide evidence that the proposed methods, frequency and timing of monitoring will provide statistically reliable detection or reliable estimates of all collisions with <b>EPBC Act listed bird and bat species.</b> The monitoring program must specify:</p> <ul style="list-style-type: none"> <li>i. measurable performance indicators;</li> <li>ii. triggers for corrective actions;</li> <li>iii. the timing and frequency of monitoring to detect triggers and changes in the performance indicators;</li> <li>iv. mortality monitoring, including carcass searches, carcass persistence trials and scavenger trials methodologies;</li> <li>v. proposed corrective actions if triggers are reached, including, but not limited to, ceasing operation of specific wind turbines;</li> </ul> <p>e. Measures, and their timing, to avoid and mitigate <b>impacts</b>, including, but not limited to:</p> <ul style="list-style-type: none"> <li>i. measures to minimise <b>impacts</b> associated with lighting (such as preventing the attraction of <b>EPBC Act listed bird and bat species</b> to locations with high risk of collision with turbines);</li> <li>ii. measures to minimise the risks to <b>EPBC Act listed bird and bat species</b> from turbine strike (such as bird and insect deterrents, low wind speed curtailment, ceasing operation of specific wind turbines during specific times, and/or permanent decommissioning of specific turbines); and</li> <li>iii. procedures for dealing with any <b>EPBC Act listed bird and bat species</b> that require relocation or are injured within the <b>project area</b>;</li> </ul> <p>f. How the effectiveness of mitigation measures will be monitored and analysed, and decisions made regarding adaptive measures to achieve the environmental objectives of the BBAMP;</p> <p>g. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the BBAMP. This must include how monitoring data and analysis of monitoring results will be reported and published, and a procedure for reporting the death or injury of any <b>EPBC Act listed bird and bat species</b> to the <b>department</b>;</p> <p>h. A proposal for how any residual significant impact to an <b>EPBC Act listed bird and bat species</b> will be offset by the approval holder in accordance with the <b>EPBC Act Environmental</b></p>

Date of decision	Conditions attached to approval
	<b>Offsets Policy.</b>
Original dated 1/06/2021	11. The approval holder must provide an evaluation, prepared by a <b>suitably qualified person</b> , of the effectiveness of the measures implemented to avoid and mitigate <b>impacts to EPBC Act listed bird and bat species</b> within the <b>project area</b> from turbine strike, and report against triggers for corrective actions, in each <b>compliance report</b> required under condition 29.
Original dated 1/06/2021	12. Prior to the <b>commencement of the action</b> , the approval holder must submit to the <b>Minister</b> detailed plans of the <b>final layout</b> .
Original dated 1/06/2021	13. To compensate for <b>impacts to protected matters</b> , prior to <b>commencement of the action</b> , the approval holder must submit an Offset Strategy for approval by the <b>Minister</b> .
Original dated 1/06/2021	14. The Offset Strategy must be prepared by a <b>suitably qualified expert(s)</b> , and must: <ul style="list-style-type: none"> <li>a. be based on the areas of habitat for <b>protected matters</b>, including <b>HBTs</b>, to be <b>impacted</b> in the <b>final layout</b>, propose offsets to compensate for <b>impacts</b> to: <ul style="list-style-type: none"> <li>i. <b>Box Gum Woodland</b>;</li> <li>ii. <b>Superb Parrot habitat</b>, including <b>HBTs</b>;</li> <li>iii. <b>Golden Sun Moth habitat</b>; and</li> <li>iv. <b>Striped Legless Lizard habitat</b></li> </ul> <p style="margin-left: 40px;">in accordance with clauses 6.2 and 6.6A of the <i>Biodiversity Conservation Regulation 2017</i> (NSW); and</p> </li> <li>b. provide the <b>Biodiversity Assessment Method</b> credit calculations used to determine the required number of <b>like-for-like biodiversity credits</b> to be <b>retired</b> to compensate for <b>impacts</b> to <b>protected matters</b>.</li> </ul>
Original dated 1/06/2021	15. Prior to the commencement of <b>operation</b> , the approval holder must submit to the <b>Minister</b> detailed plans of the <b>completed layout</b> . If <b>impacts to protected matters</b> from the <b>completed layout</b> are more than those proposed in the <b>final layout</b> , the approval holder must submit, for approval by the <b>Minister</b> , a version of the Offset Strategy revised to compensate for <b>impacts to protected matters</b> from the action. The approval holder must not commence <b>operation</b> unless the <b>Minister</b> has either confirmed that the <b>completed layout</b> has not increased <b>impacts</b> relative to the <b>final layout</b> or approved the revised Offset Strategy in writing.
Original dated 1/06/2021	16. The approval holder must <b>retire</b> the <b>like-for-like biodiversity credits</b> , as required in the approved Offset Strategy or, if a revision of the Offset Strategy is required in accordance with condition 15, the approved revised Offset Strategy, within two (2) years of the <b>commencement of the action</b> , and prior to the commencement of <b>operation</b> .
Original dated 1/06/2021	17. Within 20 <b>business days</b> of completing the requirements of condition 16, the approval holder must provide the <b>department</b> with <b>evidence</b> of when and how the <b>like-for-like biodiversity credits</b> were <b>retired</b> .
Original dated 1/06/2021	18. To compensate for potential cumulative <b>impacts</b> on the <b>Superb Parrot</b> , the approval holder must prepare and implement a Superb Parrot Population Monitoring Program (SPPMP). The SPPMP must be submitted

Date of decision	Conditions attached to approval						
	to the <b>Minister</b> for approval prior to commencement of <b>commissioning</b> .						
Original dated 1/06/2021	19. The approval holder must not commence <b>commissioning</b> unless the <b>Minister</b> has approved the SPPMP. The approval holder must implement the approved SPPMP.						
Original dated 1/06/2021	20. The implementation of the SPPMP must increase contemporary knowledge of <b>Superb Parrot</b> habitat use and breeding ecology within the <b>South-west Slopes of NSW Important Bird Area</b> , with a focus on identification of key breeding sites, and a better understanding of local movement patterns during the breeding season and landscape scale movements between the key breeding areas and winter foraging grounds.						
Original dated 1/06/2021	21. The SPPMP must support the recovery objectives and actions described in the <b>National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i></b> . The SPPMP must include: <ul style="list-style-type: none"> <li>a. specific conservation research and monitoring objectives and proposed activities, additional to any required under the approved BBAMP, to achieve the objectives;</li> <li>b. proposed timing, effort and expertise required for each activity;</li> <li>c. nomination of <b>suitably qualified persons or organisations</b> responsible for carrying out the activities;</li> <li>d. commitments for the provision and timing of funding; and</li> <li>e. mechanisms to ensure that knowledge and information gained from the SPPMP is easily accessible and can be used by the <b>department</b>, the general public and the scientific community.</li> </ul>						
As varied on the date this instrument was signed.	22. The approval holder must provide \$250,000 over three (3) years, indexed in line with <b>CPI</b> for each year on the date of this approval, to fund the conservation research activities specified in the approved SPPMP. The contributions are to be made as specified in the table below. <table border="1" data-bbox="480 1328 1265 1447" style="margin-left: auto; margin-right: auto;"> <tbody> <tr> <td>Year 1 (2023)</td> <td>\$79,800 (GST exclusive)</td> </tr> <tr> <td>Year 2 (2024)</td> <td>\$79,800 (GST exclusive)</td> </tr> <tr> <td>Year 3 (2025)</td> <td>\$90,400 (GST exclusive)</td> </tr> </tbody> </table> <p>The first contribution must be made prior to the commencement of <b>commissioning</b>, and no later than 30 June 2023. Subsequent annual contributions must be made within 20 <b>business days</b> of the anniversary of the date of the first contribution.</p>	Year 1 (2023)	\$79,800 (GST exclusive)	Year 2 (2024)	\$79,800 (GST exclusive)	Year 3 (2025)	\$90,400 (GST exclusive)
Year 1 (2023)	\$79,800 (GST exclusive)						
Year 2 (2024)	\$79,800 (GST exclusive)						
Year 3 (2025)	\$90,400 (GST exclusive)						
Original dated 1/06/2021	23. The approval holder must notify the <b>department</b> in writing of: <ul style="list-style-type: none"> <li>a. the date of <b>commencement of the action</b> within 10 <b>business days</b> after the date of <b>commencement of the action</b>;</li> <li>b. the date of commencement of <b>commissioning</b> within 10 business days after the date of commencement of <b>commissioning</b>;</li> <li>c. the date of commencement of <b>operation</b> within 10 <b>business days</b> after the date of commencement of <b>operation</b>.</li> </ul>						
Original dated 1/06/2021	24. If the <b>commencement of the action</b> does not occur within five (5) years from the date of this approval, then the approval holder must not <b>commence the action</b> without the prior written agreement of the <b>Minister</b> .						

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Original dated 1/06/2021	25. The approval holder must maintain accurate and complete <b>compliance records</b> .
Original dated 1/06/2021	<p>26. If the <b>department</b> makes a request in writing, the approval holder must provide electronic copies of <b>compliance records</b> to the <b>department</b> within the timeframe specified in the request.</p> <p><b>Note: Compliance records</b> may be subject to audit by the <b>department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b>, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the <b>department's</b> website or through the general media.</p>
Original dated 1/06/2021	<p>27. The approval holder must:</p> <ul style="list-style-type: none"> <li>a. submit <b>plans</b> electronically to the <b>department</b> for approval by the <b>Minister</b>;</li> <li>b. unless otherwise agreed in writing by the Minister, publish each <b>plan</b> on the <b>website</b> within 20 <b>business days</b> of the date: <ul style="list-style-type: none"> <li>i. the <b>plan</b> is approved by the <b>Minister</b>, or</li> <li>ii. the <b>plan</b> is submitted to the <b>Minister</b> or the <b>department</b>;</li> </ul> </li> <li>c. exclude or redact <b>sensitive ecological data</b> from <b>plans</b> published on the <b>website</b> or provided to a member of the public; and</li> <li>d. keep <b>plans</b> published on the <b>website</b> until the end date of this approval.</li> </ul>
Original dated 1/06/2021	<p>28. The approval holder must ensure that any <b>monitoring data</b> (including <b>sensitive ecological data</b>), surveys, maps, and other spatial and metadata required under a <b>plan</b>, is prepared in accordance with the <b>department's Guidelines for biological survey and mapped data (2018)</b> and submitted electronically to the <b>department</b> in accordance with the requirements of the <b>plan</b>.</p>
Original dated 1/06/2021	<p>29. The approval holder must prepare a <b>compliance report</b> for each 12 month period following the date of <b>commencement of the action</b>, or as otherwise agreed to in writing by the <b>Minister</b>. The approval holder must:</p> <ul style="list-style-type: none"> <li>a. publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12 month period;</li> <li>b. notify the <b>department</b> by email that a <b>compliance report</b> has been published on the <b>website</b> and provide the weblink for the <b>compliance report</b> within five (5) <b>business days</b> of the date of publication;</li> <li>c. keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires;</li> <li>d. exclude or redact <b>sensitive ecological data</b> from <b>compliance reports</b> published on the <b>website</b>; and</li> <li>e. where any <b>sensitive ecological data</b> has been excluded from the version published, submit the full <b>compliance report</b> to the <b>department</b> within five (5) <b>business days</b> of publication.</li> </ul> <p><b>Note: Compliance reports</b> may be published on the <b>department's</b> website.</p>

Date of decision	Conditions attached to approval
Original dated 1/06/2021	<p>30. The approval holder must notify the <b>department</b> in writing of any: <b>incident</b>; non-compliance with the conditions; or non-compliance with the commitments made in <b>plans</b>. The notification must be given as soon as practicable, and no later than two (2) <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> <li>a. any condition which is or may be in breach;</li> <li>b. a short description of the <b>incident</b> and/or non-compliance; and</li> <li>c. the location (including co-ordinates), date, and time of the <b>incident and/or</b> non-compliance. In the event the exact information cannot be provided, provide the best information available.</li> </ul>
Original dated 1/06/2021	<p>31. The approval holder must provide to the <b>department</b> the details of any <b>incident</b> or non-compliance with the conditions or commitments made in <b>plans</b> as soon as practicable and no later than 10 <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance, specifying:</p> <ul style="list-style-type: none"> <li>a. any corrective action or investigation which the approval holder has already taken or intend to take in the immediate future;</li> <li>b. the potential <b>impacts</b> of the <b>incident</b> or non-compliance; and</li> <li>c. the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ul>
Original dated 1/06/2021	<p>32. The approval holder must ensure that <b>independent audits</b> of compliance with the conditions are conducted as requested in writing by the <b>Minister</b>.</p>
Original dated 1/06/2021	<p>33. For each <b>independent audit</b>, the approval holder must:</p> <ul style="list-style-type: none"> <li>a. provide the name and qualifications of the <b>independent</b> auditor and the draft audit criteria to the <b>department</b>;</li> <li>b. only commence the <b>independent audit</b> once the audit criteria have been approved in writing by the <b>department</b>; and</li> <li>c. submit an audit report to the <b>department</b> within the timeframe specified in the approved audit criteria.</li> </ul>
Original dated 1/06/2021	<p>34. The approval holder must publish the audit report on the <b>website</b> within 10 <b>business days</b> of receiving the <b>department's</b> approval of the audit report and keep the audit report published on the <b>website</b> until the end date of this approval.</p>
Original dated 1/06/2021	<p>35. The approval holder may, at any time, apply to the <b>Minister</b> for a variation to an action management plan approved by the <b>Minister</b> under conditions 5, 8 and 13 or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the <b>EPBC Act</b>. If the <b>Minister</b> approves a revised action management plan then, from the date specified, the approval holder must implement the revised action management plan in place of the previous action management plan.</p>



Date of decision	Conditions attached to approval
Original dated 1//06/2021	36. Within 20 <b>business days</b> after the <b>completion of the action</b> , the approval holder must notify the <b>department</b> in writing and provide <b>completion data</b> .

Date of decision	Definitions attached to approval
Original dated 1//06/2021	<b>Biodiversity Assessment Method</b> means the biodiversity assessment method established under the <i>Biodiversity Conservation Act 2016</i> (NSW) for the purpose of assessing the impact of actions on threatened species and threatened ecological communities, and their habitats.
Original dated 1//06/2021	<b>Box Gum Woodland</b> means <i>White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland</i> ecological community, listed as critically endangered under the <b>EPBC Act</b> .
Original dated 1//06/2021	<b>Business days</b> means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
Original dated 1//06/2021	<b>Clearing/clear/cleared</b> means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds - see the <i>Australian weeds strategy 2017 to 2027</i> for further guidance).
Original dated 1//06/2021	<b>Commencement of the action/commence the action</b> means the first instance of any specified activity associated with the action including <b>clearing</b> and <b>construction</b> . <b>Commencement of the action</b> does not include minor physical disturbance necessary to: <ul style="list-style-type: none"> <li>a. undertake surveys or monitoring programs;</li> <li>b. install signage and /or temporary fencing to prevent unapproved use of the project area;</li> <li>c. protect environmental and property assets from fire, weeds and pests, including installing temporary fencing, and use of existing surface access tracks;</li> <li>d. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no <b>impact on protected matters</b>; and</li> <li>e. conduct investigative drilling, excavation or salvage.</li> </ul>
Original dated 1//06/2021	<b>Commissioning</b> means all activities, including turning of turbines, after the components of the first complete wind turbine are installed. The date on which <b>commissioning</b> commences is the first date on which the blades of the first completed wind turbine start rotating.
Original dated 1//06/2021	<b>Completed layout</b> means the <b>post-construction</b> layout of the action, including the actual locations and GPS coordinates of all wind turbines, transport routes, underground and overhead wiring locations and associated operational and maintenance infrastructure within the <b>project</b>

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	<p><b>area</b>, and specifying the total area of habitat for each <b>protected matter</b> that will be <b>impacted</b> by the action.</p>
Original dated 1//06/2021	<p><b>Completion data</b> means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The <b>department's</b> preferred spatial data format is <b>shapefile</b>. This includes, but is not limited to, the total area of habitat for each <b>protected matter cleared</b> within the <b>project area</b>.</p>
Original dated 1//06/2021	<p><b>Completion of the action</b> means all specified activities associated with the action have permanently ceased.</p>
Original dated 1//06/2021	<p><b>Compliance records</b> means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.</p>
Original dated 1//06/2021	<p><b>Compliance report/s</b> means written reports:</p> <ol style="list-style-type: none"> <li>a. providing accurate and complete details of compliance, <b>incidents</b>, and non-compliance with the conditions and the <b>plans</b>;</li> <li>b. consistent with the <b>department's</b> <i>Annual Compliance Report Guidelines</i> (2014);</li> <li>c. include a <b>shapefile</b> of any clearance of any <b>protected matters</b>, or their habitat, undertaken within the relevant 12 month period; and</li> <li>d. annexing a schedule of all <b>plans</b> prepared and in existence in relation to the conditions during the relevant 12 month period.</li> </ol>
Original dated 1//06/2021	<p><b>Confirmed Superb Parrot nest trees</b> means the nest trees labelled as 'Confirmed Superb Parrot Nest Trees' as shown in <u>Appendix B</u>.</p>
Original dated 1//06/2021	<p><b>Construction</b> means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage.</p>
Original dated 1//06/2021	<p><b>CPI</b> means the Consumer Price Index, sourced from the Australian Bureau of Statistics, based on the change for All Groups <b>CPI</b> over the June to June period (released at the end of June each year).</p>
Original dated 1//06/2021	<p><b>Department</b> means the Australian Government agency responsible for administering the <b>EPBC Act</b>.</p>
Original dated 1//06/2021	<p><b>Environmental Management Plan Guidelines</b> means the <i>Environmental Management Plan Guidelines</i> (2014), or subsequent revisions, available from the <b>department's</b> website.</p>

Date of decision	Definitions attached to approval
Original dated 1//06/2021	<b>EPBC Act</b> means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 1//06/2021	<b>EPBC Act Environmental Offsets Policy</b> means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> Environmental Offsets Policy (October 2012) including the Offsets Assessment Guide, or any subsequent official version.
Original dated 1//06/2021	<b>EPBC Act listed migratory species</b> means migratory species listed under the <b>EPBC Act</b> for which this approval has effect, including White-throated Needletail ( <i>Hirundapus caudacutus</i> ).
Original dated 1//06/2021	<b>EPBC Act listed bird or bat species</b> means the <b>EPBC Act listed threatened species</b> and <b>EPBC Act listed migratory species</b> for which this approval has effect that are bird or bat species.
Original dated 1//06/2021	<b>EPBC Act listed threatened species</b> means the threatened fauna species listed under the <b>EPBC Act</b> for which this approval has effect, including: <ul style="list-style-type: none"> <li>a. <b>Superb Parrot</b> (<i>Polytelis swainsonii</i>);</li> <li>b. <b>Golden Sun Moth</b> (<i>Synemon piano</i>);</li> <li>c. <b>Striped Legless Lizard</b> (<i>Delma impar</i>);</li> <li>d. White-throated Needletail (<i>Hirundapus caudacutus</i>).</li> </ul>
Original dated 1//06/2021	<b>Evidence</b> means documentation from the relevant authority showing that <b>like-for-like biodiversity credits</b> have been <b>retired</b> .
Original dated 1//06/2021	<b>Final layout</b> means the <b>pre-construction</b> layout of the action, including the proposed locations and GPS coordinates of all wind turbines, transport routes, underground and overhead wiring locations and associated operational and maintenance infrastructure within the <b>project area</b> , and specifying the total area of habitat for each <b>protected matter</b> that will be <b>impacted</b> by the action.
Original dated 1//06/2021	<b>Golden Sun Moth</b> means the species <i>Synemon piano</i> listed as critically endangered under the <b>EPBC Act</b> .
Original dated 1//06/2021	<b>Golden Sun Moth habitat</b> means habitat preferred by the <b>Golden Sun Moth</b> , which is dependent on the presence of grasslands, including non-native grasslands. <b>Golden Sun Moth habitat</b> is located where the species is listed to or may occur, and any known <b>Golden Sun Moth</b> foraging or breeding habitat. A list of key species habitat characteristics is given in the <i>Approved Conservation Advice for Synemon plana (golden sun moth)</i> , which is available on the <b>department's</b> website (equivalent NSW plant community type (PCT) includes: PCT 350 and 351).
Original dated 1//06/2021	<b>HBTs</b> means hollow-bearing trees located within the areas marked orange and labelled as 'Vegetation Type - PCT 350' as shown in <u>Appendix B</u> .
Original dated 1//06/2021	<b>Impact/s/ed</b> (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action. <b>Impact</b> (noun) means any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.

Date of decision	Definitions attached to approval
Original dated 1//06/2021	<b>Incident</b> means any event which has the potential to, or does, impact on one or more <b>protected matter(s)</b> other than as permitted under this approval.
Original dated 1//06/2021	<b>Independent</b> means a person(s) that does not have an individual or by employment or family affiliation, any conflicting or competing interests with the approval holder; the approval holder's staff, representatives or associated persons; or the project, including any personal, financial, business or employment relationship, other than receiving payment for undertaking the role for which the condition requires an independent person.
Original dated 1//06/2021	<b>Independent audit/s</b> means an audit conducted by an <b>independent</b> and <b>suitably qualified person</b> as detailed in the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> (2019), or subsequent revisions.
Original dated 1//06/2021	<b>Like-for-like biodiversity credit/s</b> means <b>like-for-like ecosystem credits</b> and <b>like-for-like species credits</b> .
Original dated 1//06/2021	<b>Like-for-like ecosystem credits</b> has the meaning given under the <i>Biodiversity Conservation Act 2016</i> (NSW) (BC Act).
Original dated 1//06/2021	<b>Like-for-like species credits</b> has the meaning given under the <i>Biodiversity Conservation Act 2016</i> (NSW) (BC Act).
Original dated 1//06/2021	<b>Minister</b> means the Australian Government Minister administering the <b>EPBC Act</b> including any delegate thereof.
Original dated 1//06/2021	<b>Monitoring data</b> means the data required to be recorded under the conditions of this approval.
Original dated 1//06/2021	<b>National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i></b> means the document cited as 'Baker-Gabb, D. (2011). <i>National Recovery Plan for the Superb Parrot Polytelis swainsonii</i> . Department of Sustainability and Environment, Melbourne' or subsequent revisions, available from the <b>department's</b> website.
Original dated 1//06/2021	<b>Operation</b> means all activities after the components of the final wind turbine are installed.
Original dated 1//06/2021	<b>Plan/s</b> means any of the documents required to be prepared, approved by the <b>Minister</b> , and/or implemented by the approval holder and published on the <b>website</b> in accordance with these conditions (includes action management plans and/or strategies).
Original dated 1//06/2021	<b>Project area</b> means all of the area marked in blue and labelled as 'Project Area - Road Upgrades' as shown in <u>Appendix A</u> , and the area outlined in black and labelled as 'Development Corridor -Wind Farm', the areas marked in blue and labelled as 'Project Area - Road Upgrades' and the areas outlined in green and labelled as 'Development Corridor - Permanent Met Masts' as shown in <u>Appendix B</u> .
Original dated 1//06/2021	<b>Protected matter/s</b> means a matter protected under a controlling provision in Part 3 of the <b>EPBC Act</b> for which this approval has effect.

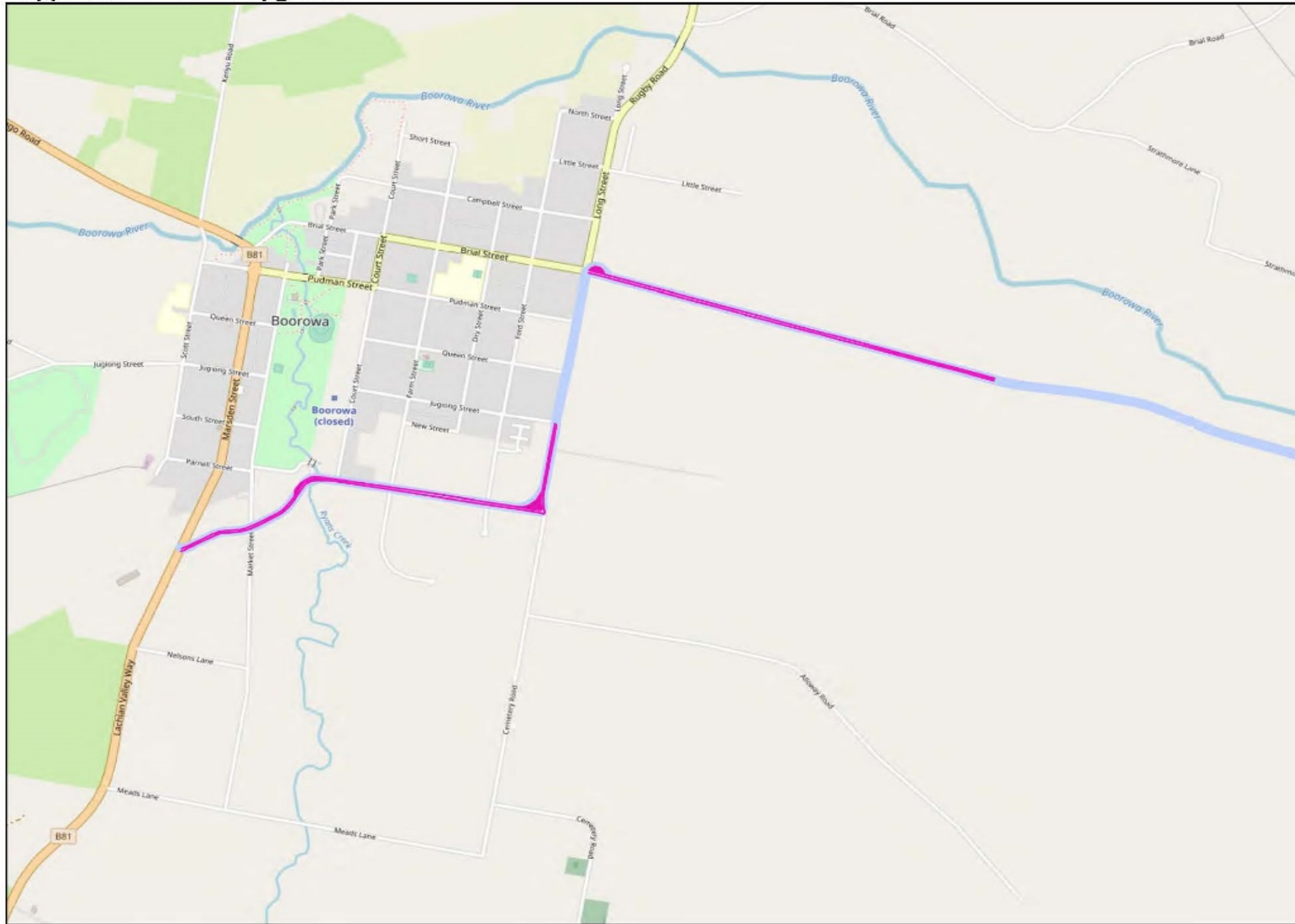
Date of decision	Definitions attached to approval
Original dated 1//06/2021	<b>Retained Superb Parrot nest tree/s</b> means any <b>Superb Parrot nest tree</b> remaining within the <b>project area</b> after the clearance limit for <b>HBTs</b> under condition 3 has been reached.
Original dated 1//06/2021	<b>Retire/retired</b> means change the status of a <b>like-for-like biodiversity credit</b> such that the <b>like-for-like biodiversity credit</b> can no longer be bought or sold.
Original dated 1//06/2021	<b>Sensitive ecological data</b> means data as defined in the Australian Government Department of the Environment (2016) <i>Sensitive Ecological Data -Access and Management Policy V1.0</i>
Original dated 1//06/2021	<b>Shapefile/s</b> means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.
Original dated 1//06/2021	<b>South-west Slopes of NSW Important Bird Area</b> means the area identified by Birdlife Australia as the core distribution of <b>Superb Parrots</b> on the south-west slopes of New South Wales, as described and mapped in the <i>Important Bird Areas factsheet: South-west Slopes of NSW</i> , available at <a href="http://www.birdlife.org">www.birdlife.org</a> .
Original dated 1//06/2021	<b>Striped Legless Lizard</b> means the species <i>Delma impar</i> listed as vulnerable under the <b>EPBC Act</b> .
Original dated 1//06/2021	<b>Striped Legless Lizard habitat</b> means areas with ecological conditions supporting the <b>Striped Legless Lizard</b> , as described in the <i>Conservation Advice Delma impar striped legless lizard</i> and the <i>National Recovery Plan for the Striped Legless Lizard (Delma impar) 1999-2003</i> , which are available on the <b>department's</b> website.
Original dated 1//06/2021	<b>Suitably qualified expert/s</b> means a person who has professional qualifications and at least three (3) years of work experience designing and implementing surveys for and managing or studying and preparing prescriptions for the management of <b>Box Gum Woodland, Superb Parrot, Golden Sun Moth, Striped Legless Lizard</b> and White-throated Needletail ( <i>Hirundapus caudacutus</i> ), and can give an authoritative assessment and advice on the presence of and management requirements of <b>Box Gum Woodland, Superb Parrot, Golden Sun Moth, Striped Legless Lizard</b> and White-throated Needletail ( <i>Hirundapus caudacutus</i> ) using relevant protocols, standards, methods and/or literature.
Original dated 1//06/2021	<b>Suitably qualified person</b> means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.
Original dated 1//06/2021	<b>Suitably qualified persons or organisations</b> mean persons and/or organisations with qualifications, training, skills and/or experience specifically relevant to the particular activities which they are nominated in the SPPMP to implement.

Date of decision	Definitions attached to approval
Original dated 1//06/2021	<b>Superb Parrot</b> means the species <i>Polytelis swainsonii</i> listed as vulnerable under the <b>EPBC Act</b> .
Original dated 1//06/2021	<b>Superb Parrot habitat</b> means habitat preferred by the <b>Superb Parrot</b> where the species may occur, and any known <b>Superb Parrot</b> foraging or breeding habitat. A list of key species habitat characteristics is given in the <i>Conservation Advice Polytelis swainsonii superb parrot</i> and <i>National Recovery Plan for the Superb Parrot Polytelis swainsonii</i> , which are available on the <b>department's</b> website (equivalent NSW PCT's include: PCT 350).
Original dated 1//06/2021	<b>Superb Parrot nest tree</b> means trees of the <i>Eucalyptus</i> species River Red Gum, Blakely's Red Gum <i>E. blakelyi</i> , Apple Box f. <i>bridgesiana</i> , Grey Box, White Box <i>E. albens</i> and Red Box <i>E. polyanthemos</i> , with hollows located 5-13 m above the ground as specified in the <b>National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i></b> and that have a hollow diameter >5 cm.
Original dated 1//06/2021	<b>Website</b> means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Date of decision	<b><u>Annexure A</u></b>
Original dated 1/6/2021	Appendix A
As varied on the date this instrument was signed.	Appendix B



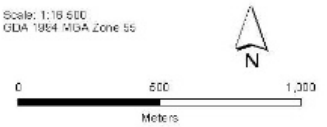
### Appendix A – Road Upgrades



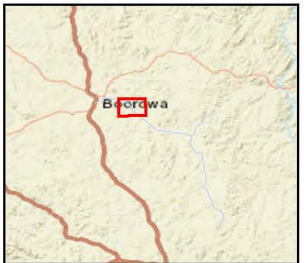
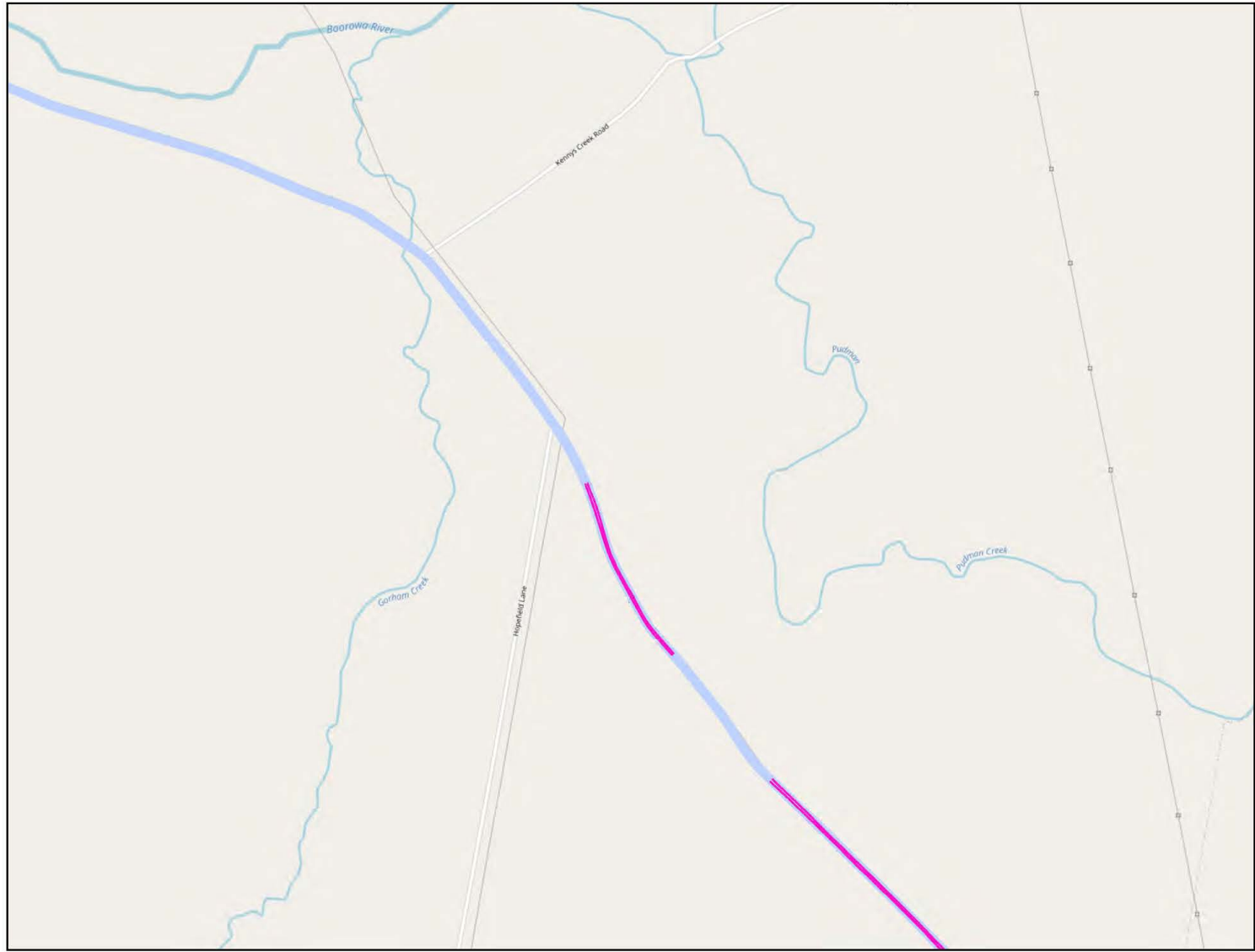
- Project Area - Road Upgrades
- Indicative Development Footprint – Road Upgrades

Date: 21/05/2021  
 Version: B

Scale: 1:10 000  
 GDA 1984 MGA Zone 55



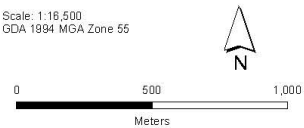
Source: PDR - NSWREP and 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- Project Area - Road Upgrades
- Indicative Development Footprint - Road Upgrades

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Version: B

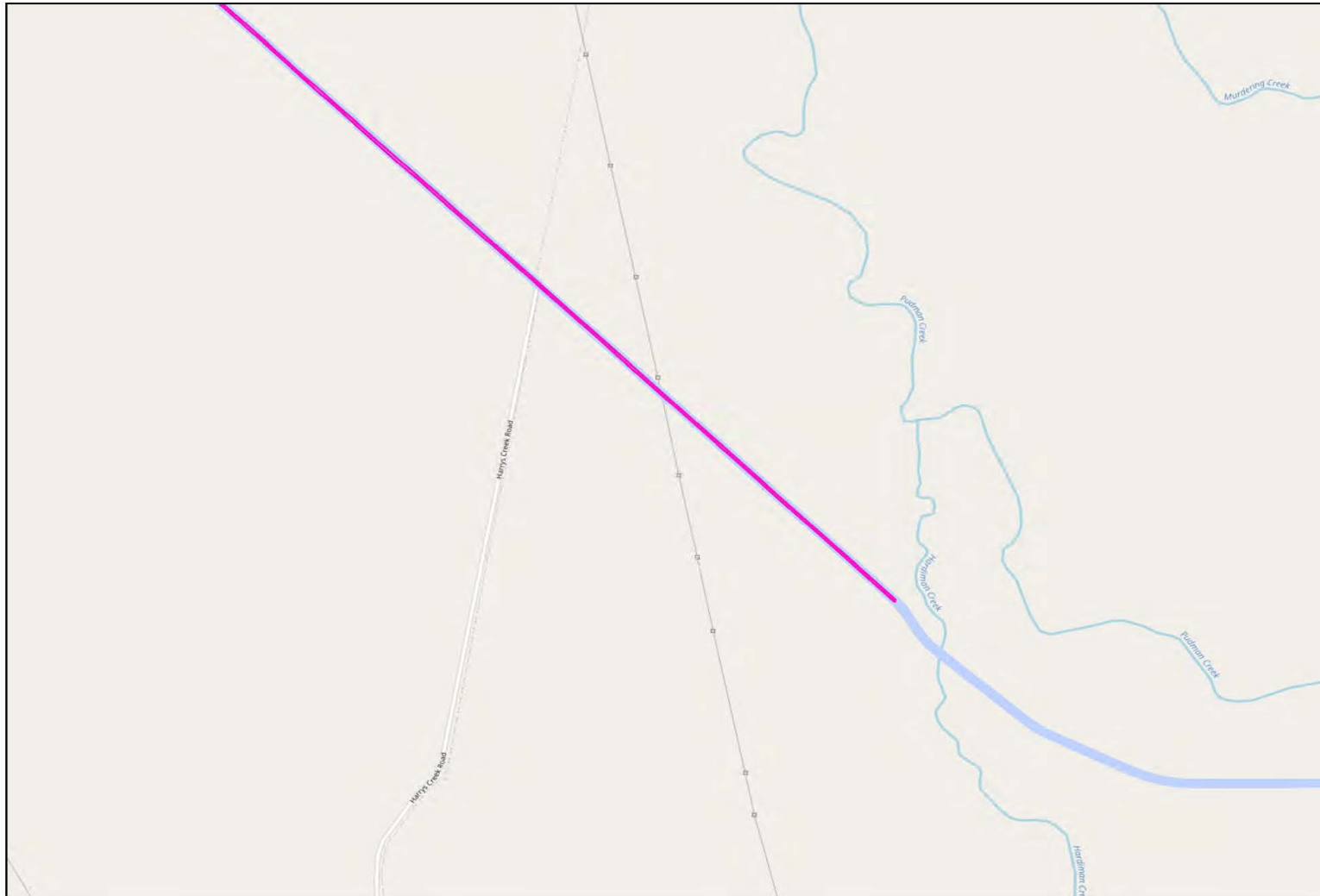
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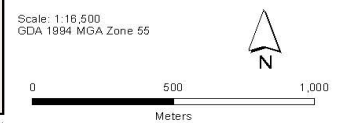




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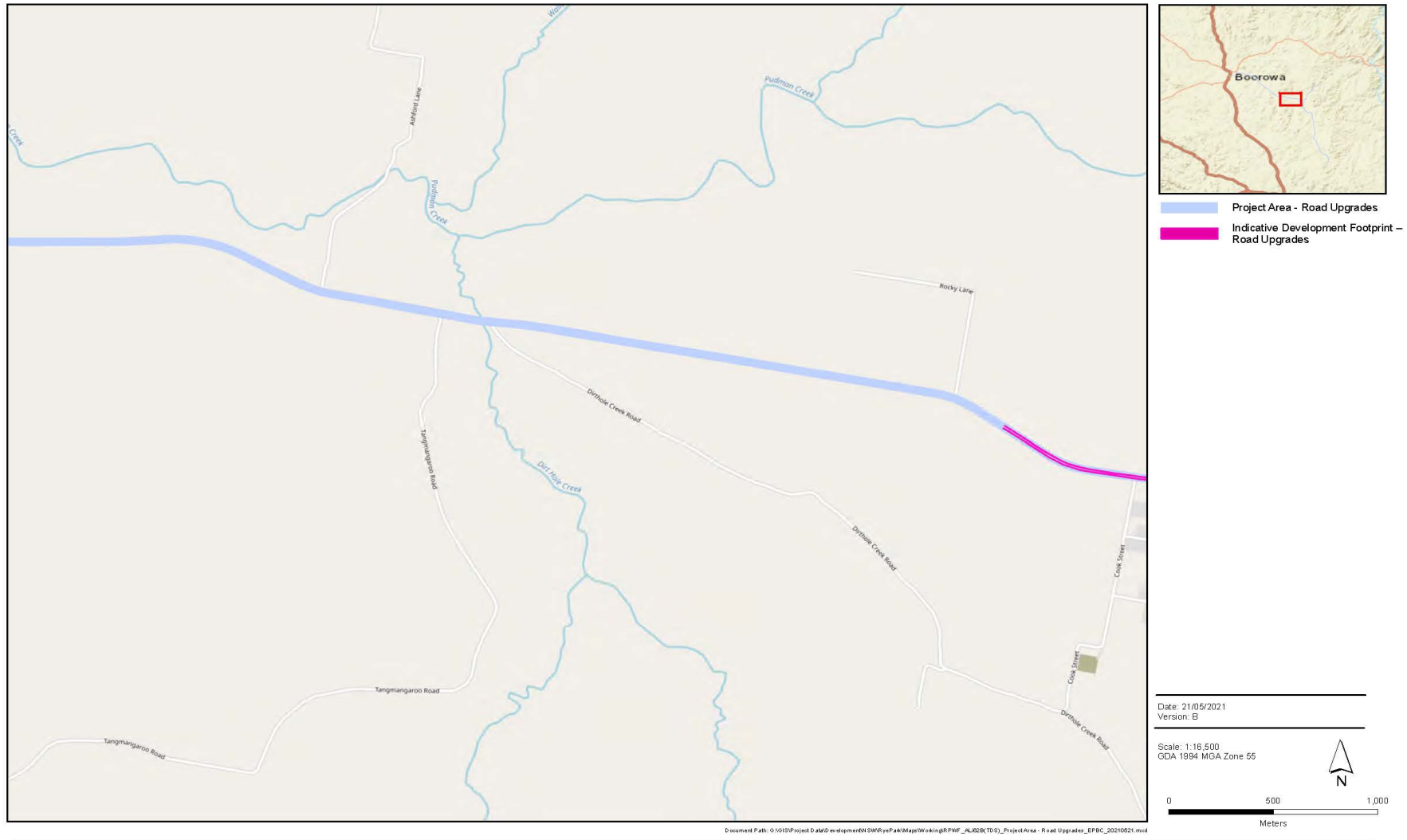
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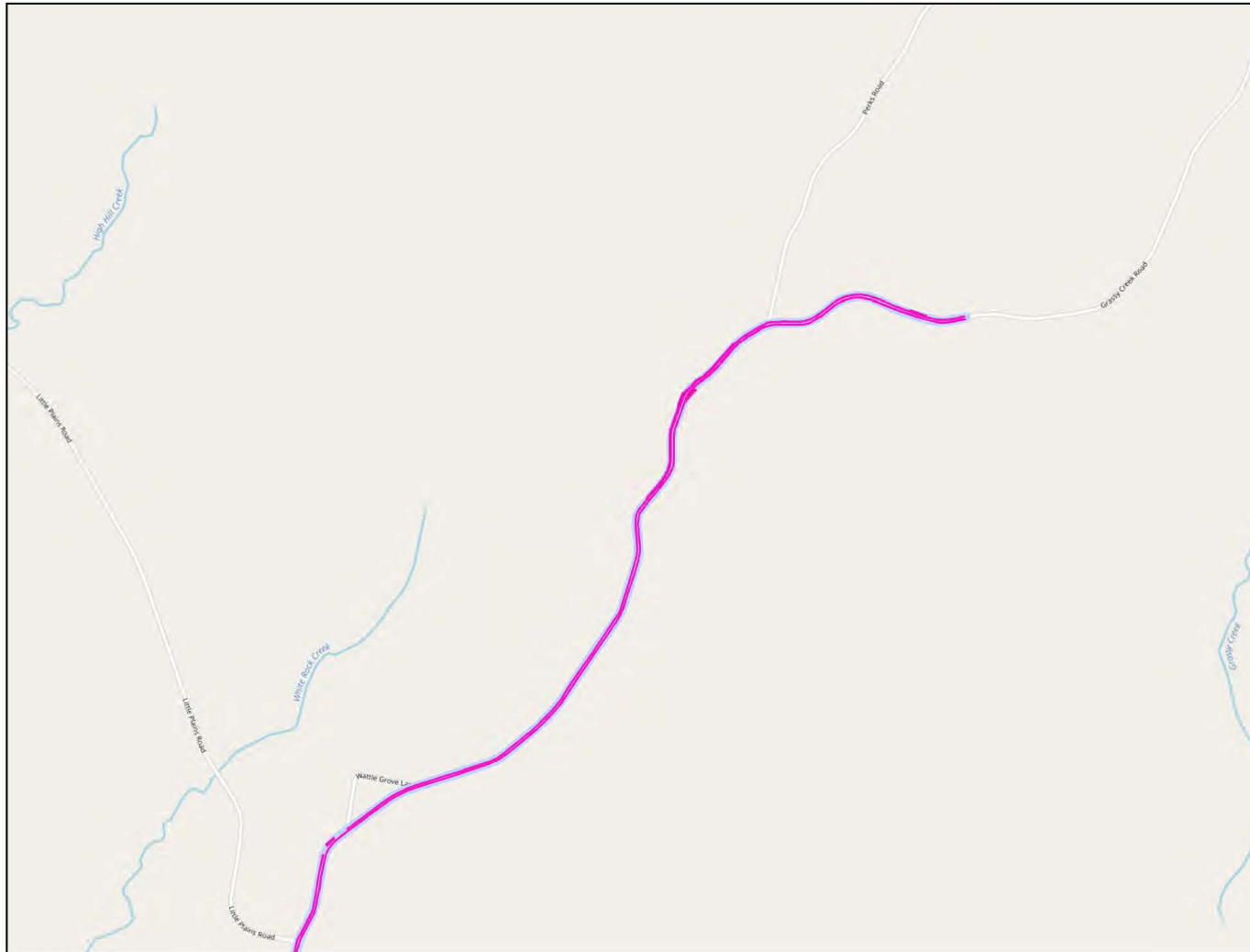
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Rye Park Wind Farm  
 Project Area - Road Upgrades  
 Page 5 of 11

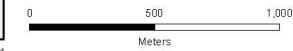




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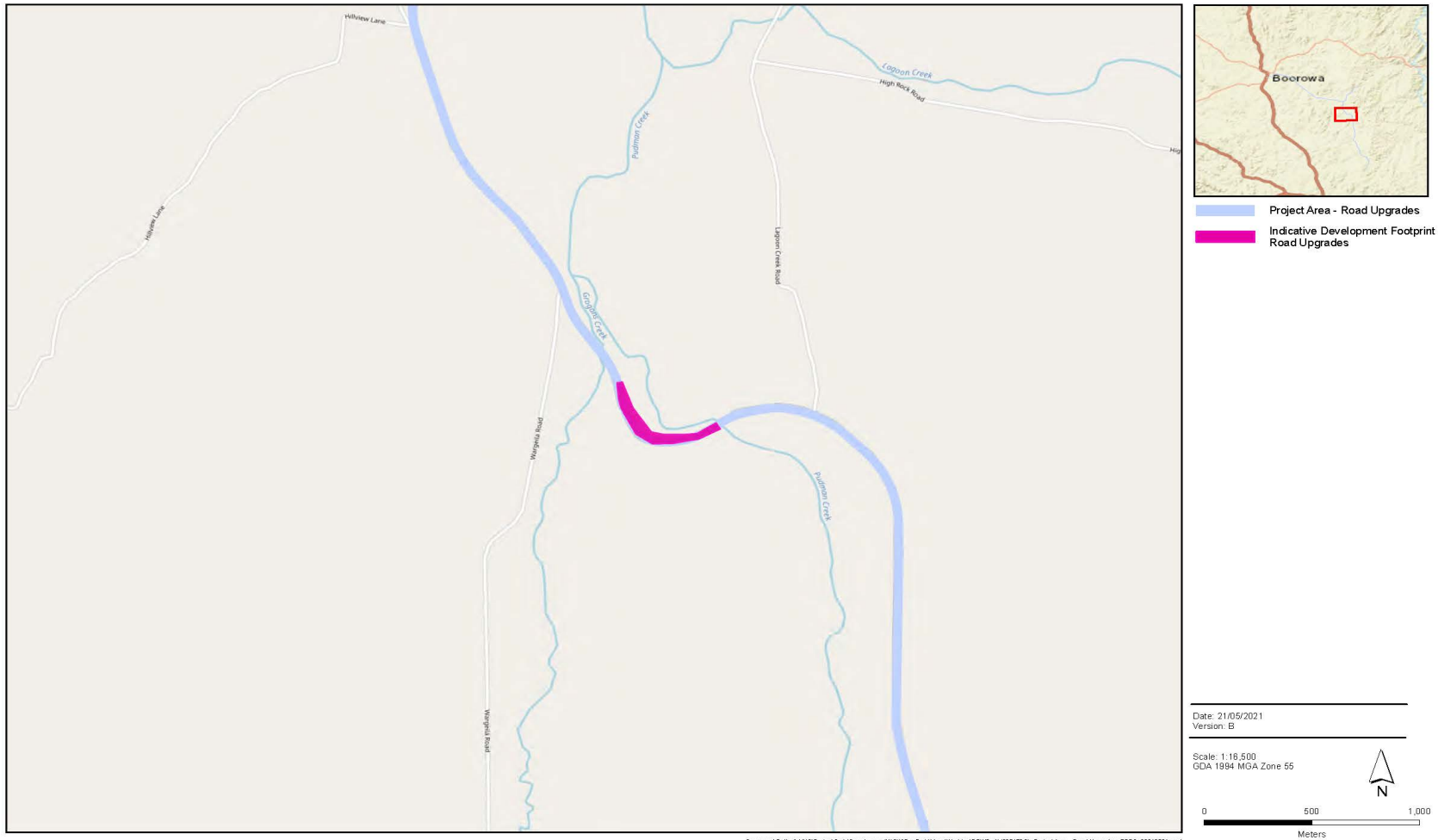
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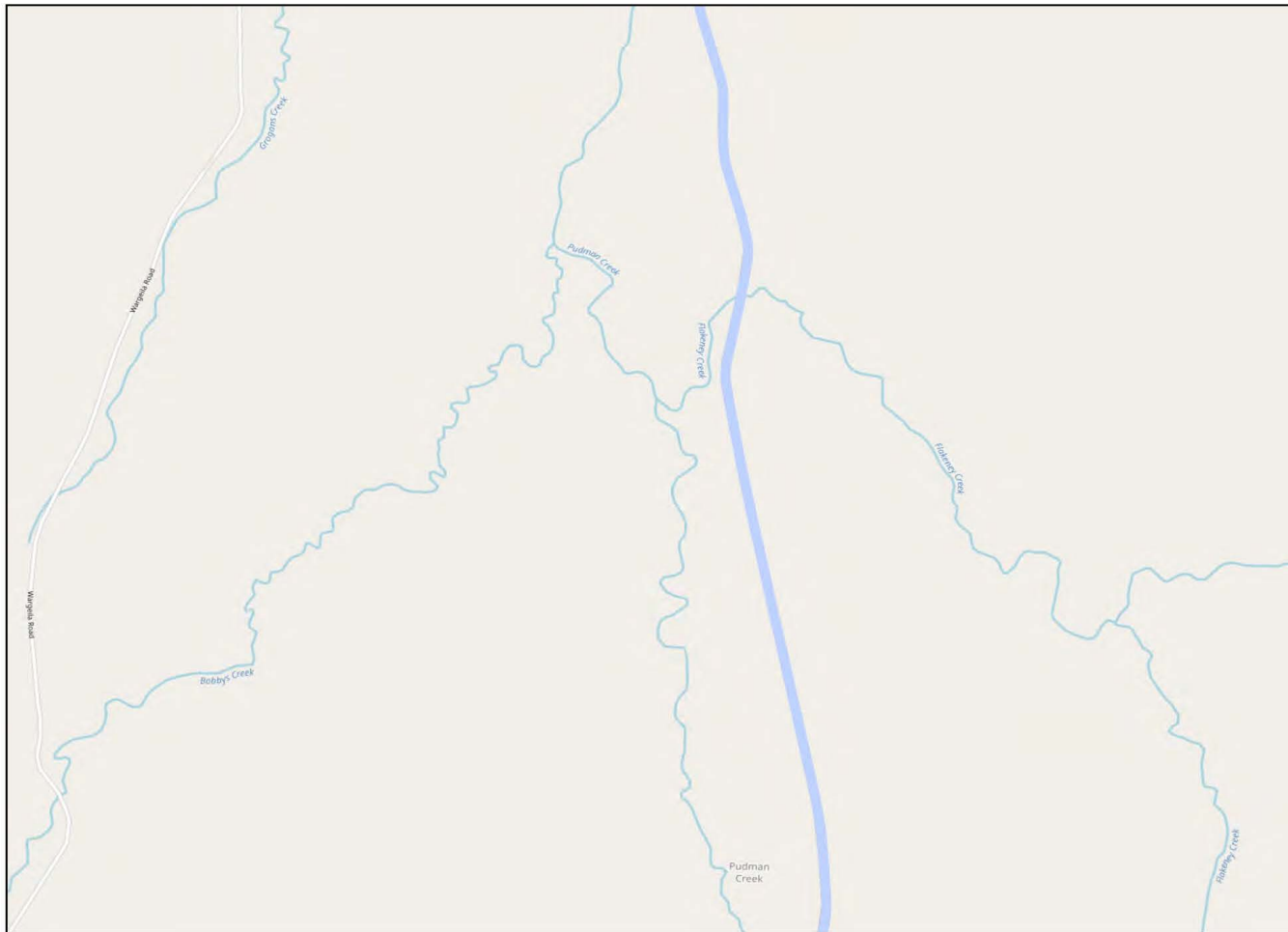
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- Project Area - Road Upgrades
- Indicative Development Footprint – Road Upgrades

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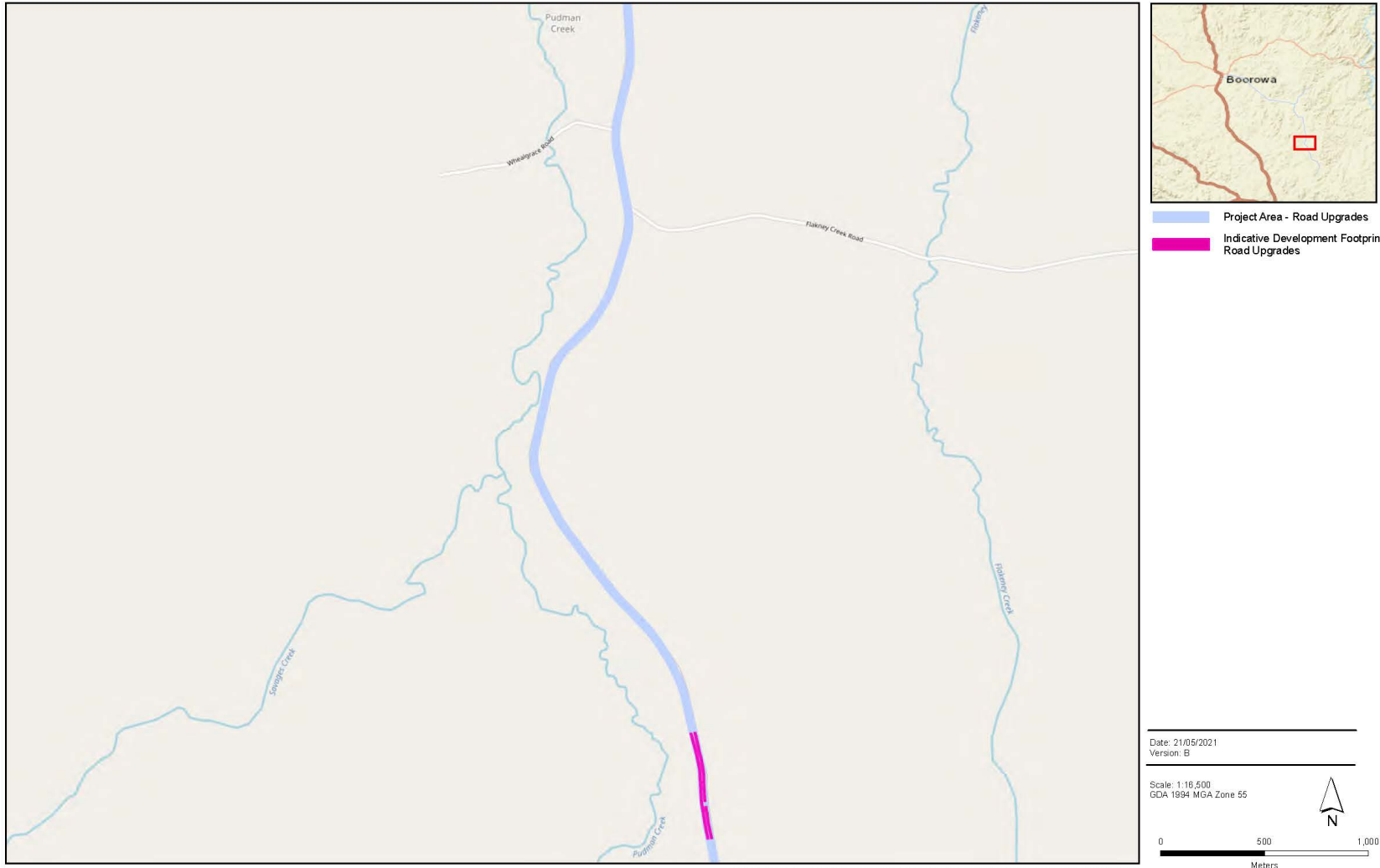
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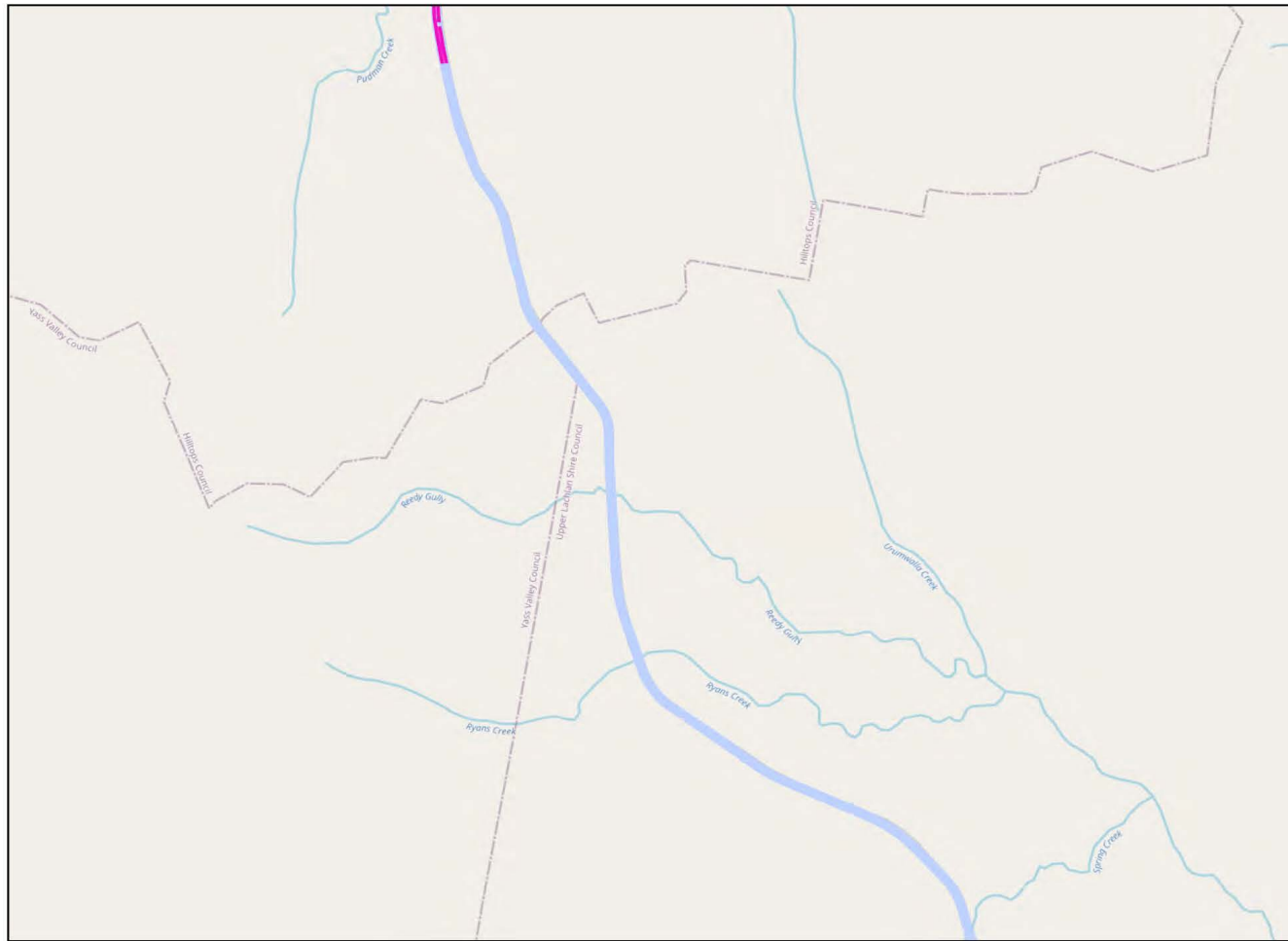
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Rye Park Wind Farm  
Project Area - Road Upgrades  
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█ Project Area - Road Upgrades  
█ Indicative Development Footprint - Road Upgrades

Date: 21/05/2021  
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 Scale: 1:16,500  
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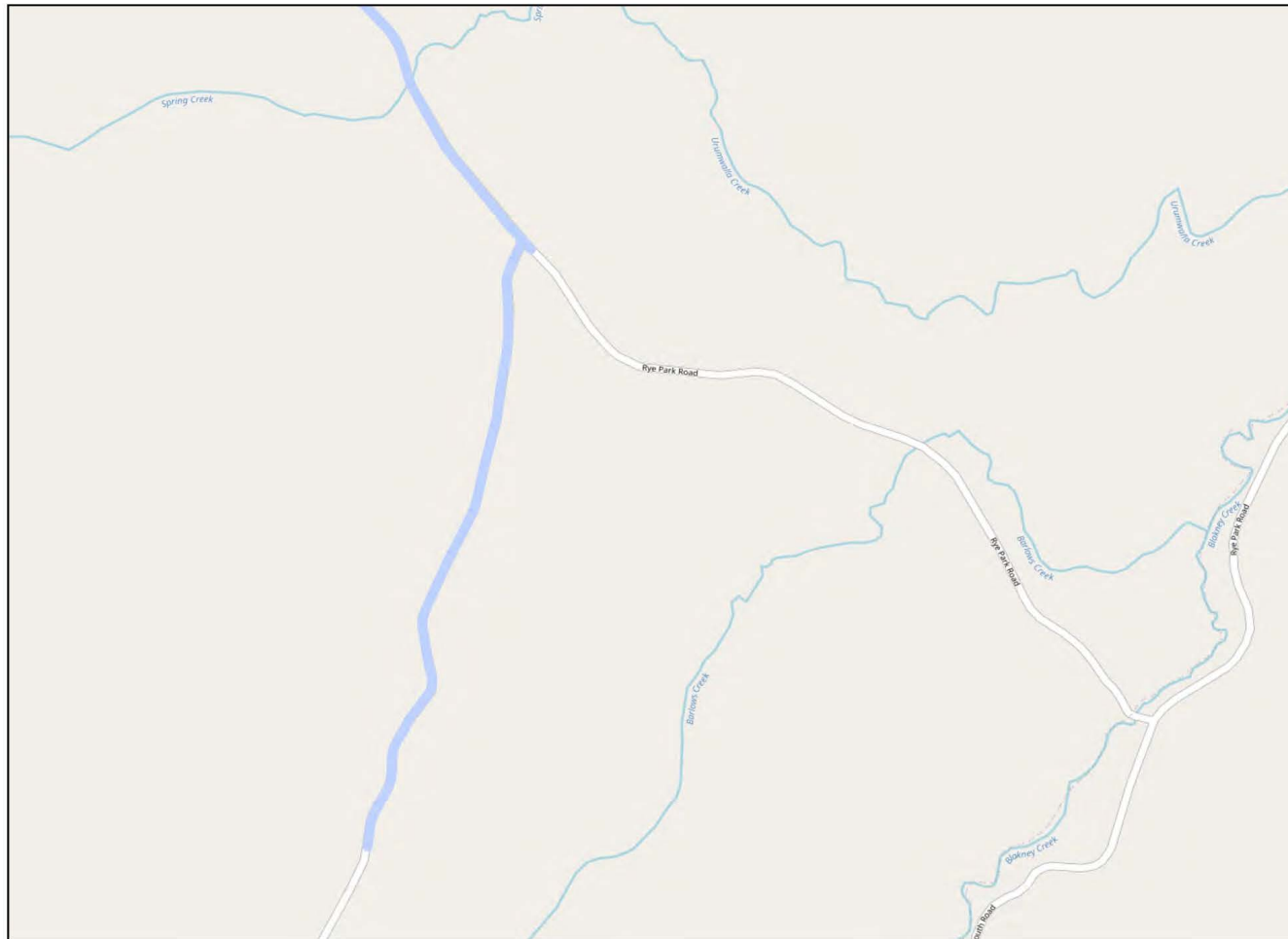



Meters

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- Project Area - Road Upgrades
- Indicative Development Footprint – Road Upgrades

Date: 21/05/2021  
Version: B

Scale: 1:16,500  
GDA 1994 MGA Zone 55

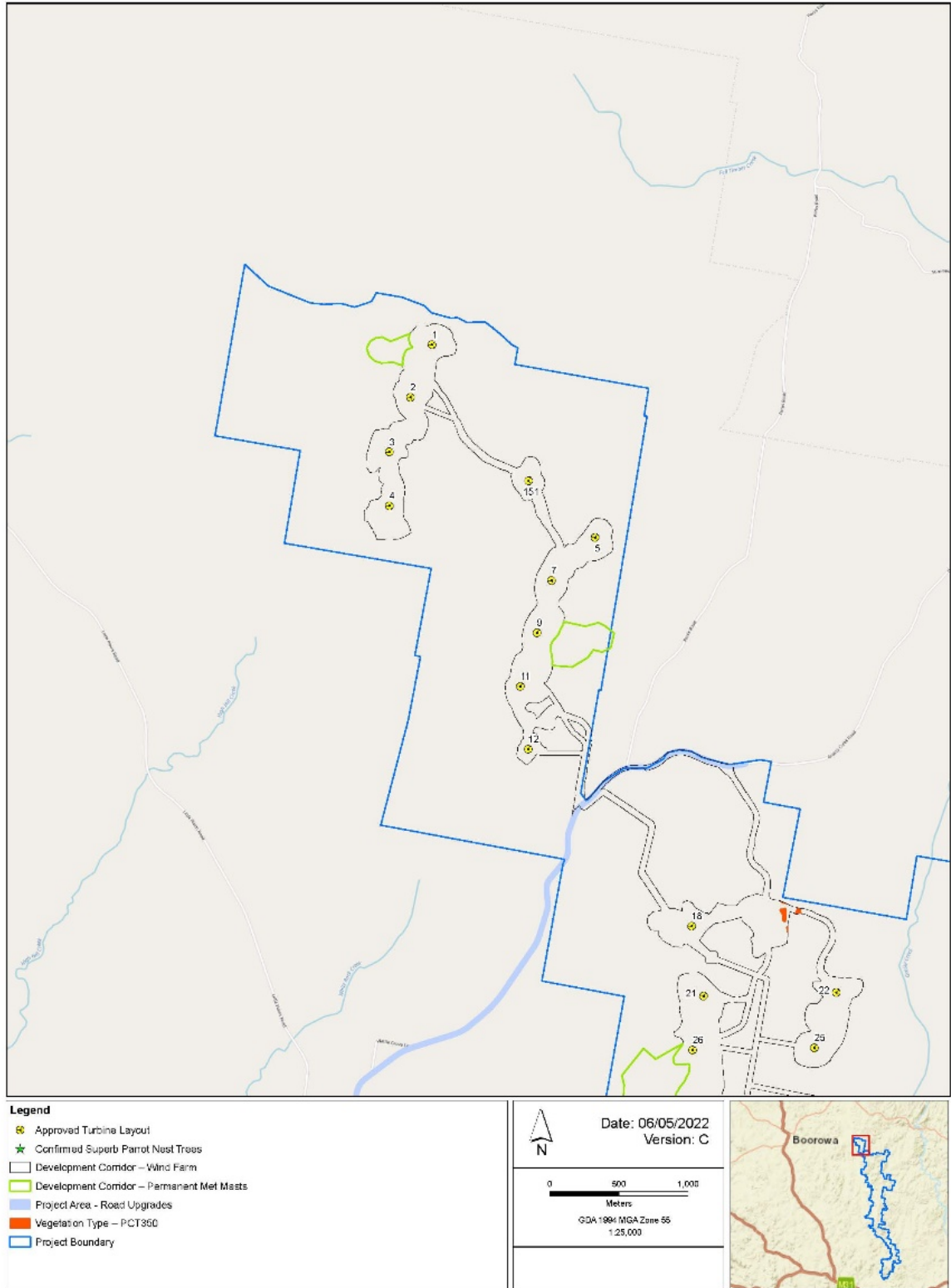
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Rye Park Wind Farm  
Project Area - Road Upgrades  
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# Appendix B

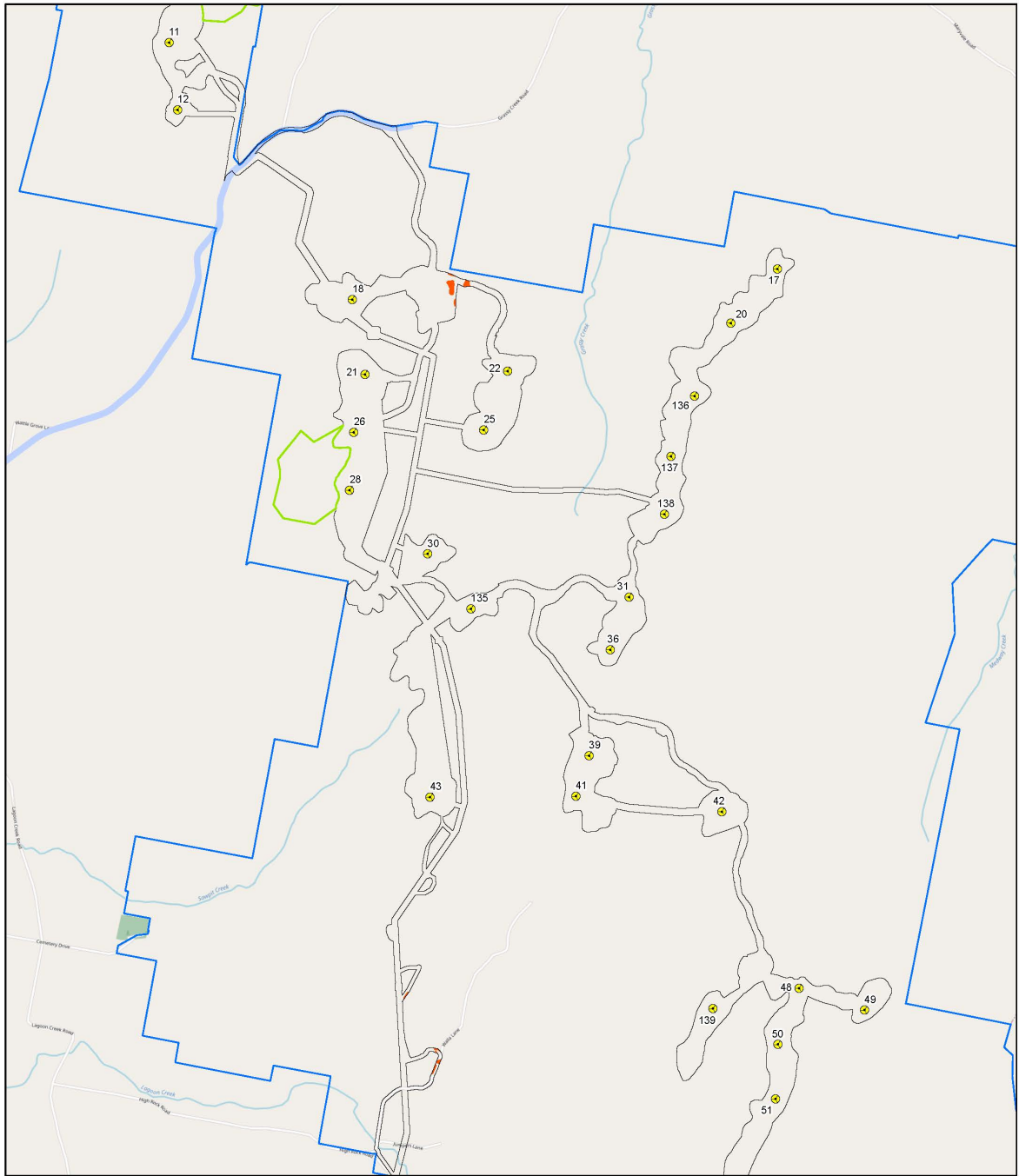


## Rye Park Wind Farm

### Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

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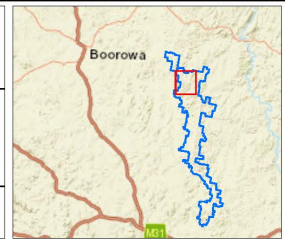
**Legend**

- Approved Turbine Layout
- Confirmed Superb Parrot Nest Trees
- Development Corridor – Wind Farm
- Development Corridor – Permanent Met Masts
- Project Area - Road Upgrades
- Vegetation Type – PCT350
- Project Boundary

Date: 06/05/2022  
Version: C

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Meters

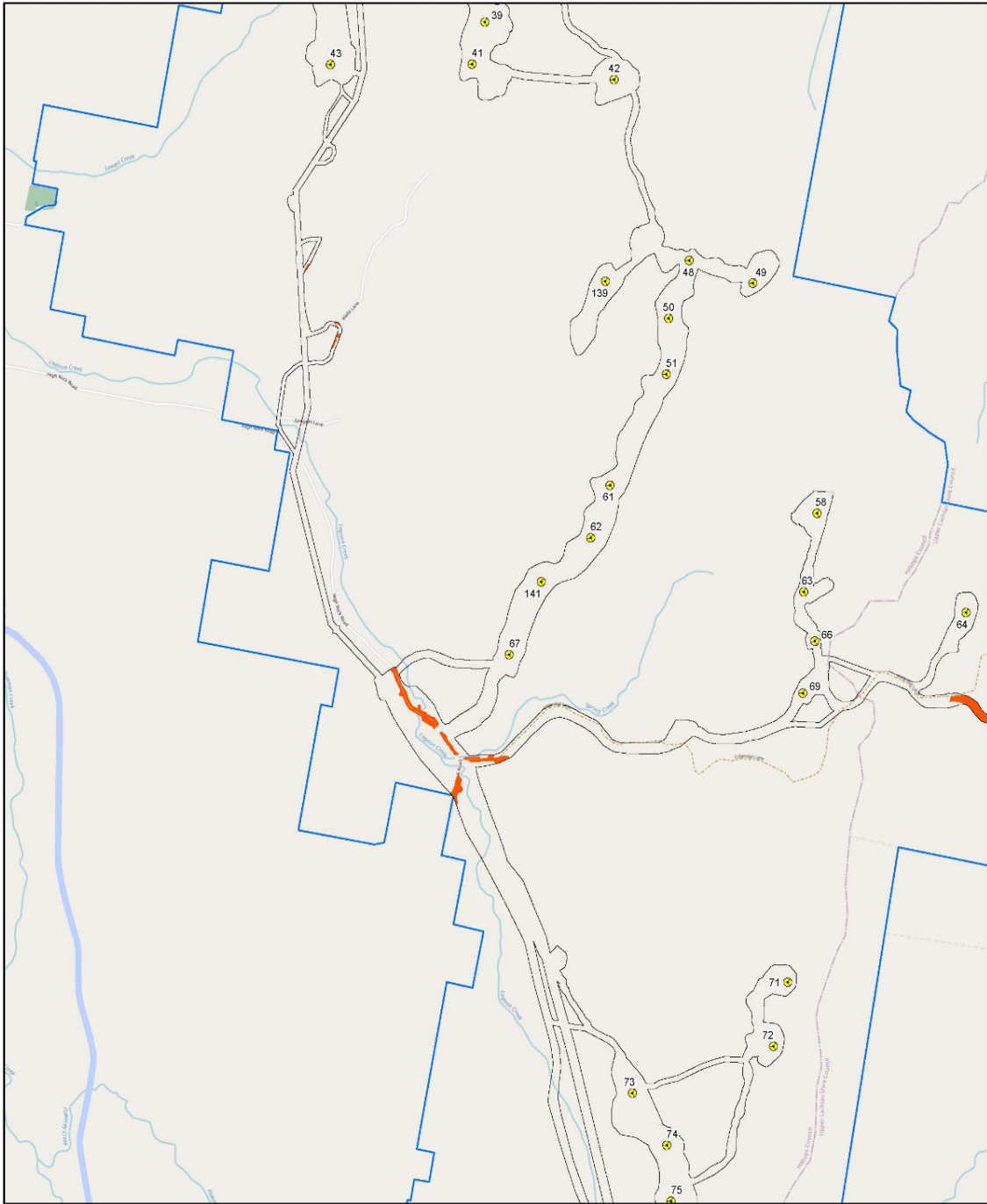
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**Rye Park Wind Farm**  
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees  
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**Legend**

- Approved Turbine Layout
- ★ Confirmed Superb Parrot Nest Trees
- Development Corridor – Wind Farm
- Development Corridor – Permanent Met Masts
- Project Area – Road Upgrades
- Vegetation Type – PCT350
- Project Boundary

Date: 06/05/2022  
 Version: C

0 500 1,000  
 Meters  
 GDA 1984 MGA Zone 55  
 1:25,000

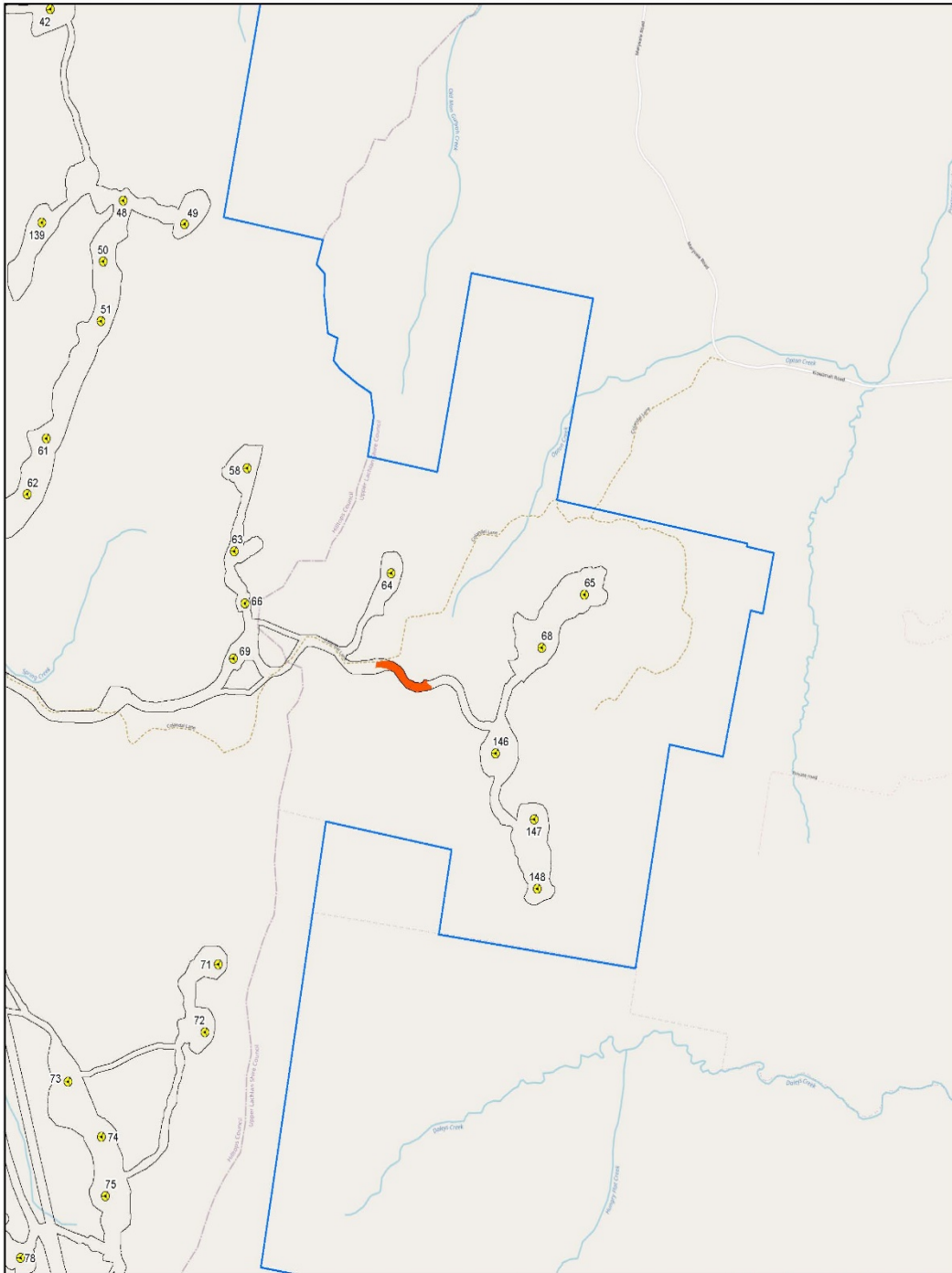


**Rye Park Wind Farm**

**Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees**

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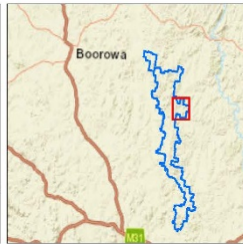
**Legend**

- Approved Turbine Layout
- ★ Confirmed Superb Parrot Nest Trees
- Development Corridor – Wind Farm
- Development Corridor – Permanent Met Masts
- Project Area - Road Upgrades
- Vegetation Type – PCT350
- Project Boundary

Date: 06/05/2022  
Version: C

0      500      1,000  
Meters

GDA 1984 MGA Zone 55  
1:25,000

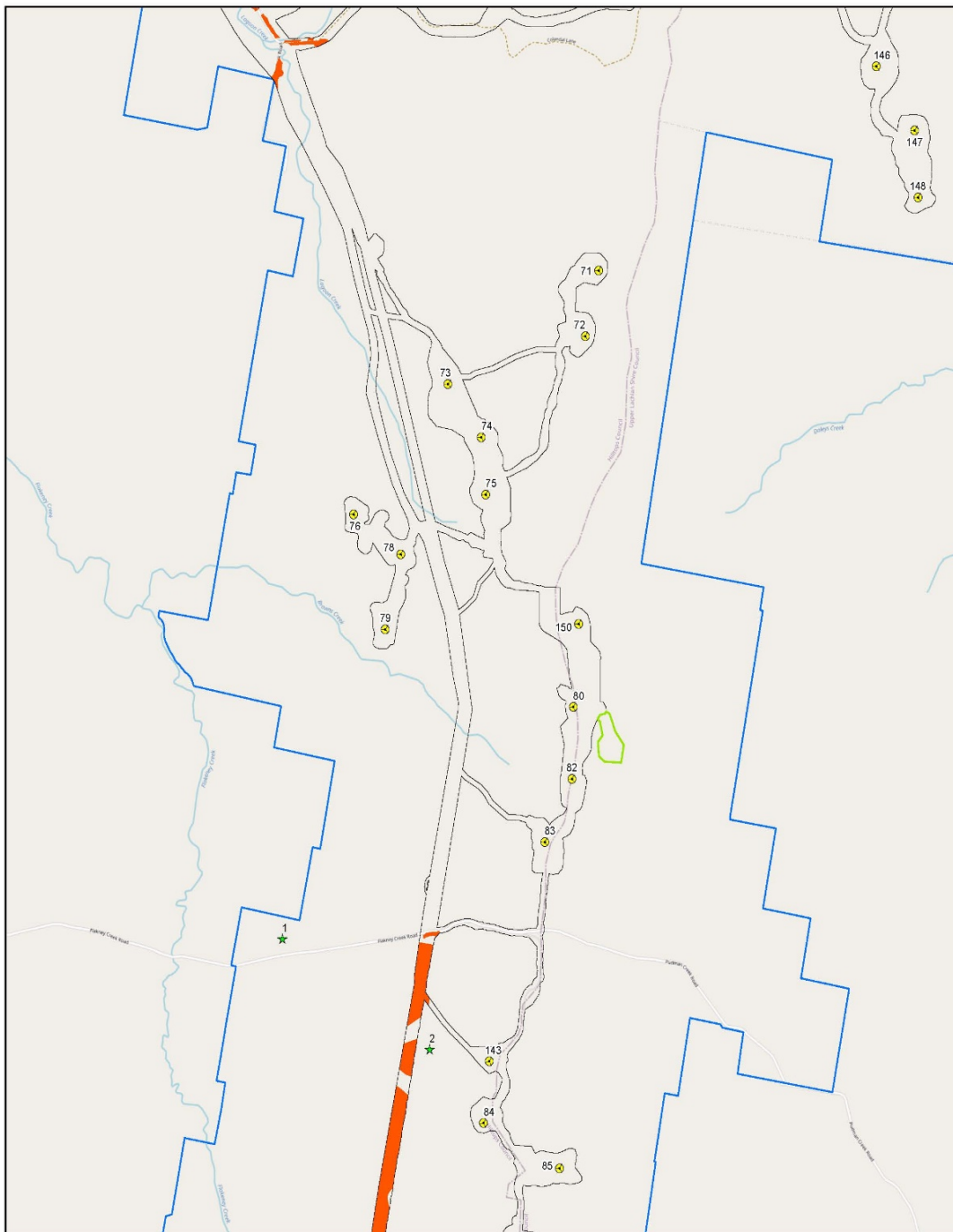


## Rye Park Wind Farm

### Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

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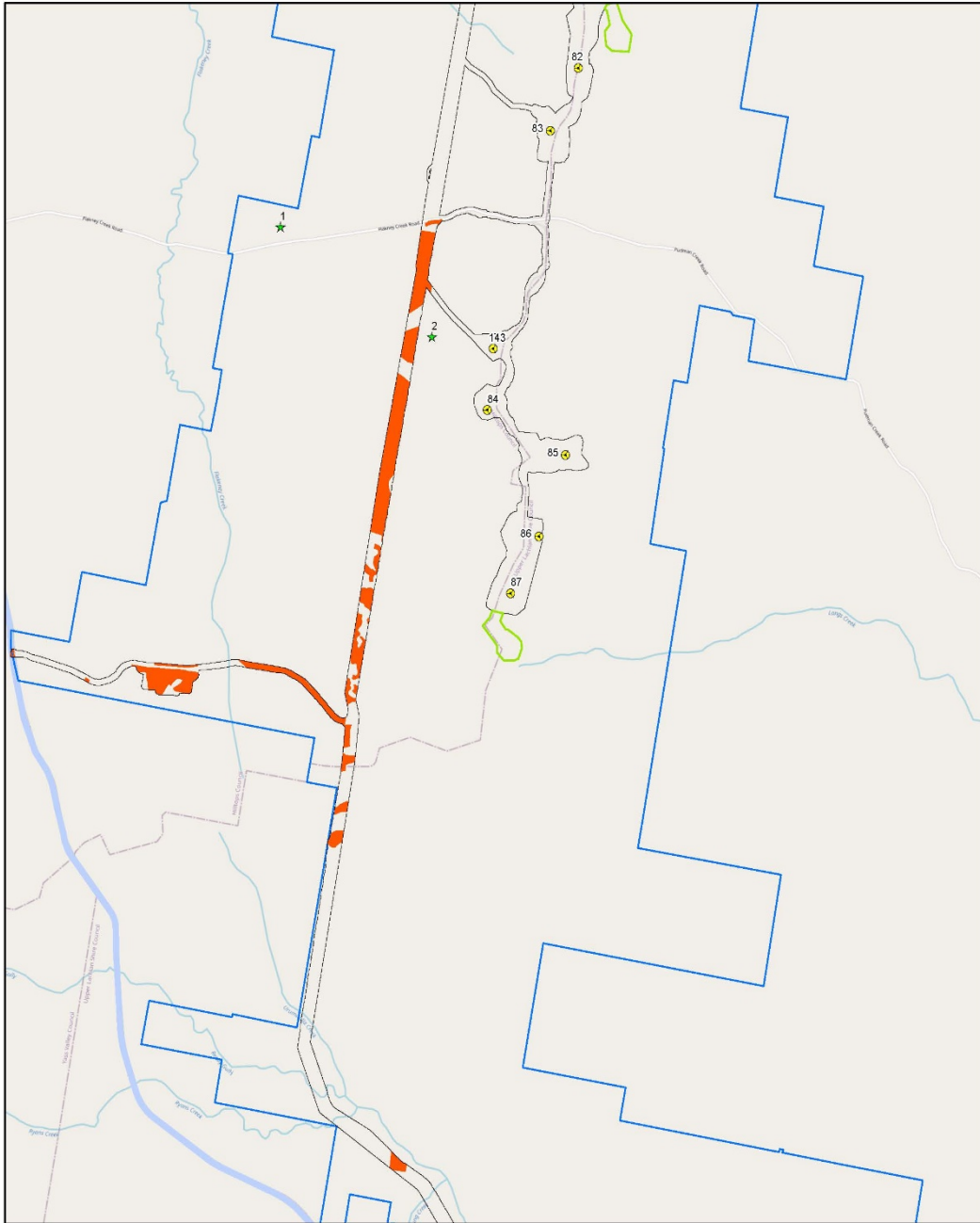




<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="color: yellow;">⊙</span> Approved Turbine Layout</li> <li><span style="color: green;">★</span> Confirmed Superb Parrot Nest Trees</li> <li>□ Development Corridor – Wind Farm</li> <li>□ Development Corridor – Permanent Met Masts</li> <li>□ Project Area - Road Upgrades</li> <li>■ Vegetation Type – PCT350</li> <li>□ Project Boundary</li> </ul>	<p style="text-align: right;">Date: 06/05/2022 Version: C</p> <p style="text-align: center;">N</p> <p style="text-align: center;">0      500      1,000 Meters</p> <p style="text-align: center;">GDA 1984 MGA Zone 55 1:25,000</p>	
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**Rye Park Wind Farm**  
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees  
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<p><b>Legend</b></p> <ul style="list-style-type: none"> <li> Approved Turbine Layout</li> <li> Confirmed Superb Parrot Nest Trees</li> <li> Development Corridor – Wind Farm</li> <li> Development Corridor – Permanent Met Masts</li> <li> Project Area - Road Upgrades</li> <li> Vegetation Type – PCT350</li> <li> Project Boundary</li> </ul>	<p style="text-align: right;">Date: 06/05/2022 Version: C</p> <p style="text-align: center;">0 500 1,000 Meters GDA 1984 MGA Zone 55 1:25,000</p>	
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## Rye Park Wind Farm

### Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

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**Legend**

-  Approved Turbine Layout
-  Confirmed Superb Parrot Nest Trees
-  Development Corridor – Wind Farm
-  Development Corridor – Permanent Met Masts
-  Project Area - Road Upgrades
-  Vegetation Type – PCT350
-  Project Boundary

Date: 06/05/2022  
Version: C


  

  
 Meters  
 GDA 1984 MGA Zone 55  
 1:25,000



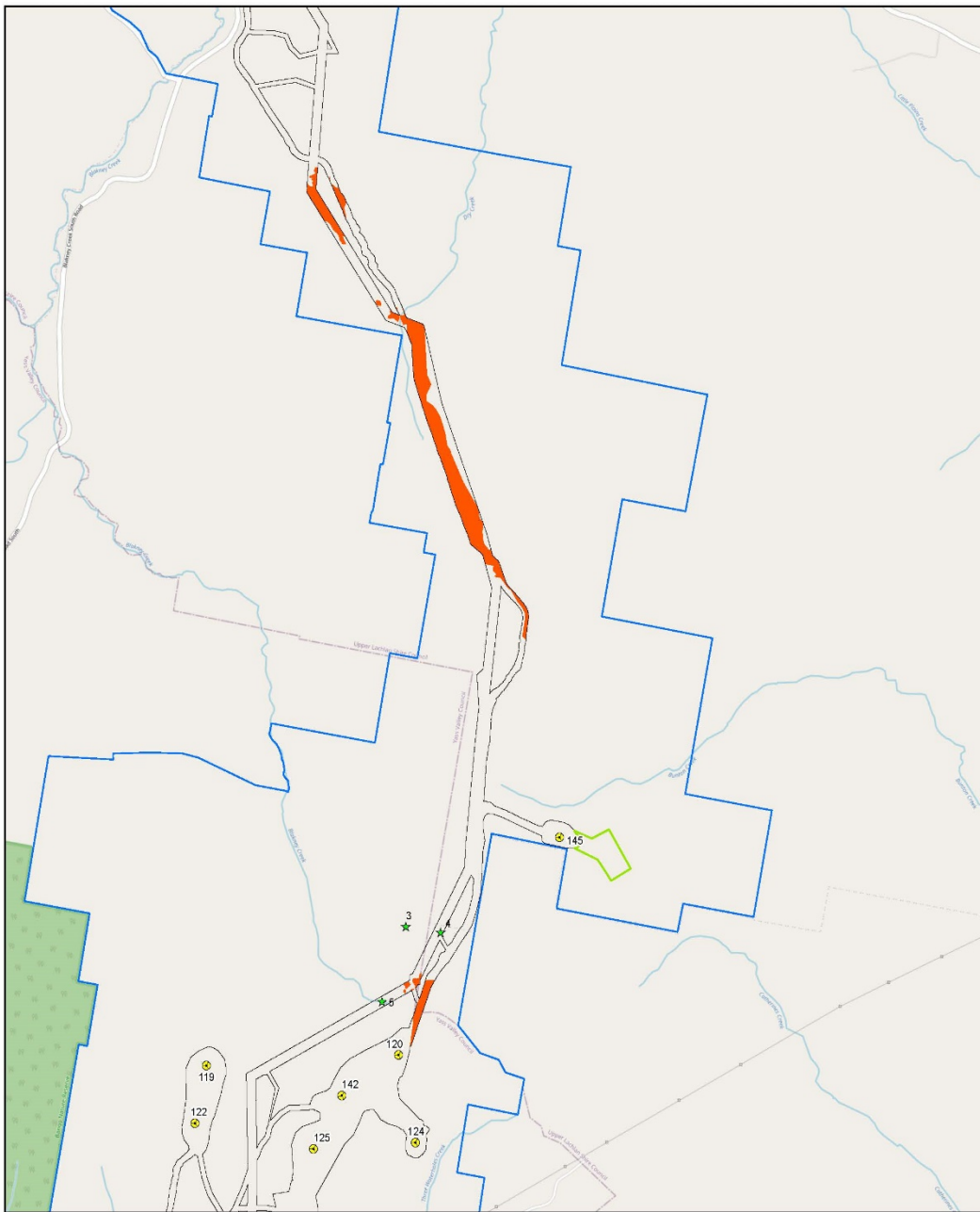
## Rye Park Wind Farm

### Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

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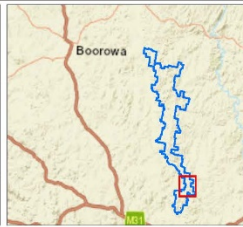
**Legend**

- Approved Turbine Layout
- ★ Confirmed Superb Parrot Nest Trees
- Development Corridor – Wind Farm
- Development Corridor – Permanent Met Masts
- Project Area - Road Upgrades
- Vegetation Type – PCT350
- Project Boundary

Date: 06/05/2022  
Version: C

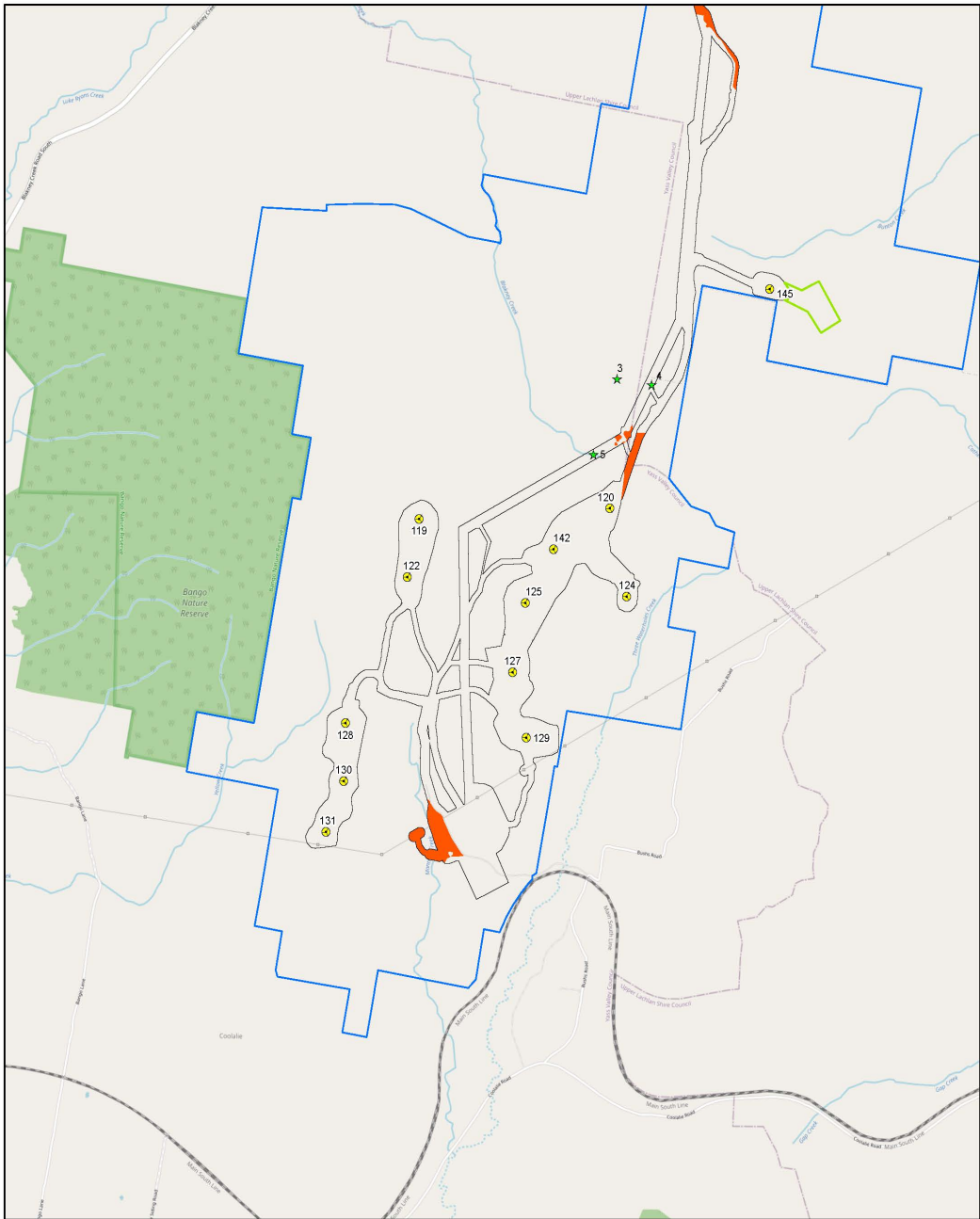
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Meters

GDA 1994 MGA Zone 56  
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**Rye Park Wind Farm**  
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees  
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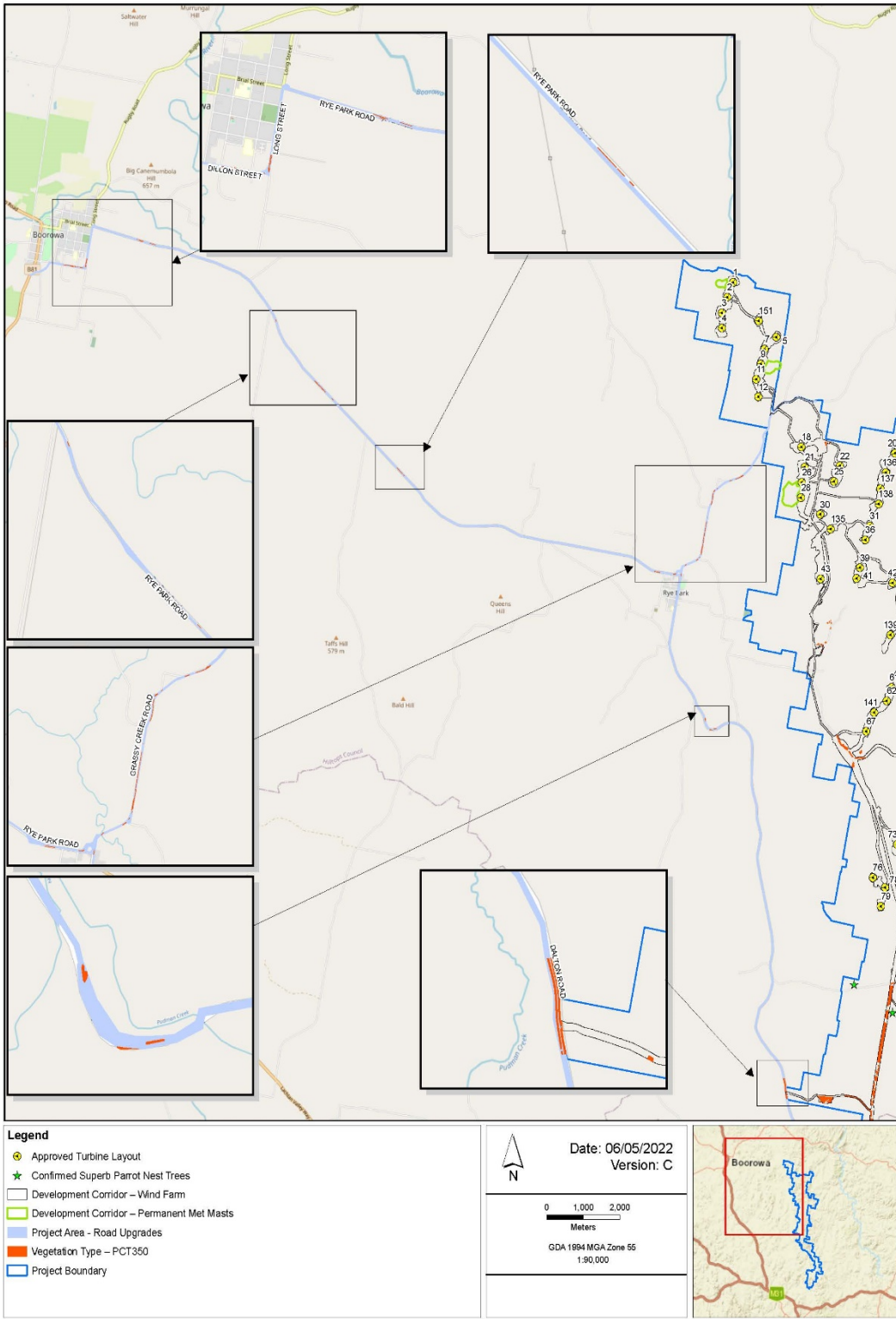




<p><b>Legend</b></p> <ul style="list-style-type: none"> <li>⦿ Approved Turbine Layout</li> <li>★ Confirmed Superb Parrot Nest Trees</li> <li>▭ Development Corridor – Wind Farm</li> <li>▭ Development Corridor – Permanent Met Masts</li> <li>▭ Project Area - Road Upgrades</li> <li>▭ Vegetation Type – PCT350</li> <li>▭ Project Boundary</li> </ul>	<p style="text-align: right;">Date: 06/05/2022 Version: C</p> <p style="text-align: center;">N</p> <p style="text-align: center;">0 500 1,000 Meters</p> <p style="text-align: center;">GDA 1984 MGA Zone 55 1:25,000</p>	
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**Rye Park Wind Farm**  
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees  
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**Rye Park Wind Farm**  
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees  
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