



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(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Approval holder	Name:	Rye Park Renewable Energy Pty Ltd
	ABN:	34 601 541 931

Approved action	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

Variation of conditions attached to approval	The variation is: Delete condition 1,16,17, 27, 28, 29, 30, 31 and 33 attached to the approval and substitute with conditions 1,16,17, 27, 28, 29, 30, 31 and 33 specified in the table below. Add new conditions 27A, 27B, 28A, 28B, 29A, 29B, 32A, 34A, 34B, and 35A specified in the table below. Revise the definition of Construction and Like-for-Like biodiversity credits and add new definitions for Audit Report and Harm as specified in the table below.
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Date of effect	This variation has effect on the date this instrument is signed
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Person authorised to make decision

Name and position	Hanna Kogelman Acting Branch Head Compliance and Enforcement Branch
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Signature

Date of decision	2 May 2024
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Date of decision	Conditions attached to approval
As varied the date this approval is signed	1. The approval holder must not construct more than 77 wind turbines. The approval holder must not construct outside the project area .
Original dated 1/06/2021	2. The approval holder must not clear within the project area , except: <ul style="list-style-type: none"> 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 b. HBTs unless the Offset Strategy required under condition 13 has been approved by the Minister .
Original dated 1/06/2021	3. The approval holder must not clear more than: <ul style="list-style-type: none"> a. 35.73 ha of Box Gum Woodland; b. 20.08 ha of Superb Parrot habitat; c. 233 HBTs; d. 85.28 ha of Golden Sun Moth habitat; and e. 43.29 ha of Striped Legless Lizard habitat within the project area .
Original dated 1/06/2021	4. The approval holder must not clear any confirmed Superb Parrot nest trees within the project area .
Original dated 1/06/2021	5. To mitigate unavoidable impacts to protected matters , the approval holder must submit a Biodiversity Management Plan (BMP) for the Minister's approval prior to the commencement of the Action .
Original dated 1/06/2021	6. The approval holder must not commence the Action unless the Minister 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 department's Environmental Management Plan Guidelines , and must include: <ul style="list-style-type: none"> a. The BMP environmental objectives, relevant protected matters and a reference to EPBC Act approval conditions to which the BMP refers; 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; c. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the BMP; d. An assessment of risks to achieving the BMP environmental objectives and strategies that will be applied to manage risks; e. Impact avoidance, mitigation and/or repair measures, and their timing, including: <ul style="list-style-type: none"> i. details of pre-clearance surveys;

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

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	<p>collisions with EPBC Act listed bird and bat species. 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 EPBC Act listed bird and bat species. The monitoring program must specify:</p> <ul style="list-style-type: none"> i. measurable performance indicators; ii. triggers for corrective actions; iii. the timing and frequency of monitoring to detect triggers and changes in the performance indicators; iv. mortality monitoring, including carcass searches, carcass persistence trials and scavenger trials methodologies; v. proposed corrective actions if triggers are reached, including, but not limited to, ceasing operation of specific wind turbines; <p>e. Measures, and their timing, to avoid and mitigate impacts, including, but not limited to:</p> <ul style="list-style-type: none"> i. measures to minimise impacts associated with lighting (such as preventing the attraction of EPBC Act listed bird and bat species to locations with high risk of collision with turbines); ii. measures to minimise the risks to EPBC Act listed bird and bat species 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 iii. procedures for dealing with any EPBC Act listed bird and bat species that require relocation or are injured within the project area. <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 EPBC Act listed bird and bat species to the department;</p> <p>h. A proposal for how any residual significant impact to an EPBC Act listed bird and bat species will be offset by the approval holder in accordance with the EPBC Act Environmental Offsets Policy.</p>
Original dated 1/06/2021	11. The approval holder must provide an evaluation, prepared by a suitably qualified person , of the effectiveness of the measures implemented to avoid and mitigate impacts to EPBC Act listed bird and bat species

Date of decision	Conditions attached to approval
	within the project area from turbine strike, and report against triggers for corrective actions, in each compliance report required under condition 29.
Original dated 1/06/2021	12. Prior to the commencement of the action , the approval holder must submit to the Minister detailed plans of the final layout .
Original dated 1/06/2021	13. To compensate for impacts to protected matters , prior to commencement of the action , the approval holder must submit an Offset Strategy for approval by the Minister .
Original dated 1/06/2021	<p>14. The Offset Strategy must be prepared by a suitably qualified expert(s), and must:</p> <ul style="list-style-type: none"> a. be based on the areas of habitat for protected matters, including HBTs, to be impacted in the final layout, propose offsets to compensate for impacts to: <ul style="list-style-type: none"> i. Box Gum Woodland; ii. Superb Parrot habitat, including HBTs; iii. Golden Sun Moth habitat; and iv. Striped Legless Lizard habitat <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> b. provide the Biodiversity Assessment Method credit calculations used to determine the required number of like-for-like biodiversity credits to be retired to compensate for impacts to protected matters.
Original dated 1/06/2021	15. Prior to the commencement of operation , the approval holder must submit to the Minister detailed plans of the completed layout . If impacts to protected matters from the completed layout are more than those proposed in the final layout , the approval holder must submit, for approval by the Minister , a version of the Offset Strategy revised to compensate for impacts to protected matters from the action. The approval holder must not commence operation unless the Minister has either confirmed that the completed layout has not increased impacts relative to the final layout or approved the revised Offset Strategy in writing.
As varied the date this approval is signed	16. The approval holder must retire the like-for-like biodiversity credits , as required in the approved Offset Strategy by 1 October 2024. If all like-for-like biodiversity credits required in the approved Offset Strategy have not been retired by 1 October 2024, the approval holder must prevent any rotation of wind turbine blades from 2 October 2024 until all like-for-like biodiversity credits required in the approved Offset Strategy have been retired.
As varied the date this approval is signed.	17. Within 5 business days of completing the requirements of condition 16, the approval holder must provide the department with evidence of when and how the like-for-like biodiversity credits were retired .

Date of decision	Conditions attached to approval						
Original dated 1/06/2021	18. To compensate for potential cumulative impacts on the Superb Parrot , the approval holder must prepare and implement a Superb Parrot Population Monitoring Program (SPPMP). The SPPMP must be submitted to the Minister for approval prior to commencement of commissioning .						
Original dated 1/06/2021	19. The approval holder must not commence commissioning unless the Minister 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 Superb Parrot habitat use and breeding ecology within the South-west Slopes of NSW Important Bird Area , 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 National Recovery Plan for the Superb Parrot (<i>Polytelis swainsonii</i>) . The SPPMP must include: <ul style="list-style-type: none"> a. specific conservation research and monitoring objectives and proposed activities, additional to any required under the approved BBAMP, to achieve the objectives; b. proposed timing, effort and expertise required for each activity; c. nomination of suitably qualified persons or organisations responsible for carrying out the activities; d. commitments for the provision and timing of funding; and e. mechanisms to ensure that knowledge and information gained from the SPPMP is easily accessible and can be used by the department, the general public and the scientific community. 						
Variation dated 30/06/2022	22. The approval holder must provide \$250,000 over three (3) years, indexed in line with CPI 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 1565 1265 1727"> <tbody> <tr> <td data-bbox="480 1565 874 1619">Year 1 (2023)</td> <td data-bbox="874 1565 1265 1619">\$79,800 (GST exclusive)</td> </tr> <tr> <td data-bbox="480 1619 874 1673">Year 2 (2024)</td> <td data-bbox="874 1619 1265 1673">\$79,800 (GST exclusive)</td> </tr> <tr> <td data-bbox="480 1673 874 1727">Year 3 (2025)</td> <td data-bbox="874 1673 1265 1727">\$90,400 (GST exclusive)</td> </tr> </tbody> </table> <p>The first contribution must be made prior to the commencement of commissioning, and no later than 30 June 2023. Subsequent annual contributions must be made within 20 business days 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)						
	Part B – Administrative conditions						
	Commencement of the Action						

Date of decision	Conditions attached to approval
Original dated 1/06/2021	<p>23. The approval holder must notify the department in writing of:</p> <ul style="list-style-type: none"> a. the date of commencement of the action within 10 business days after the date of commencement of the action; b. the date of commencement of commissioning within 10 business days after the date of commencement of commissioning; c. the date of commencement of operation within 10 business days after the date of commencement of operation.
Original dated 1/06/2021	<p>24. If the commencement of the action does not occur within five (5) years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.</p>
	<p>Compliance Records</p>
Original dated 1/06/2021	<p>25. The approval holder must maintain accurate and complete compliance records.</p>
Original dated 1/06/2021	<p>26. If the department makes a request in writing, the approval holder must provide electronic copies of compliance records to the department within the timeframe specified in the request.</p> <p>Note: Compliance records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the department's website or through the general media.</p>
	<p>Submission and Publication of Plans</p>
As varied the date this approval is signed.	<p>27. The approval holder must submit all plans required by these conditions electronically to the department.</p>
As varied the date this approval is signed.	<p>27A. The approval holder must keep all plans required by these conditions published on the website until the expiry date of this approval.</p>
As varied the date this approval is signed.	<p>27B. The approval holder is required to exclude or redact sensitive ecological data from plans published on the website or otherwise provided to a member of the public. If sensitive ecological data is excluded or redacted from a plan, the approval holder must notify the department in writing what exclusions and redactions have been made in the version published on the website.</p>
As varied the date this approval is signed.	<p>28. The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan, are prepared in accordance with the <i>Guidelines for biological survey and mapped data</i>, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.</p>

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As varied the date this approval is signed.	28A The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the <i>Guide to providing maps and boundary data for EPBC Act projects</i> , Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.
As varied the date this approval is signed.	28B The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department in accordance with the requirements of the plans .
	Annual Compliance Reporting
As varied the date this approval is signed.	<p>29. The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <ol style="list-style-type: none"> a. publish each compliance report on the website within 20 business days following the relevant 12 month period; b. notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five (5) business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within five (5) business days of publication. <p>Note: Compliance reports may be published on the department's website.</p>
As varied the date this approval is signed.	29A. Each compliance report must be consistent with the <i>Annual Compliance Report Guidelines</i> , Commonwealth of Australia 2023.
As varied the date this approval is signed.	<p>29B. Each compliance report must include:</p> <ol style="list-style-type: none"> a. Accurate and complete details of compliance and any non-compliance with: <ol style="list-style-type: none"> i. each condition attached to this approval decision, ii. if any incident occurred, each incident. b. One or more shapefile(s) showing all clearing of protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared. c. A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.

Date of decision	Conditions attached to approval
	Reporting Non-Compliance
As varied the date this approval is signed.	<p>30. The approval holder must notify the department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two (2) business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ol style="list-style-type: none"> a. any condition or commitment made in a plan which is or may be in breach; b. a short description of the incident and/or potential non-compliance; and/or actual non-compliance. c. the location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance. <p>Note: In the event the exact information cannot be provided, provide the best information available.</p>
As varied the date this approval is signed.	<p>31. The approval holder must provide to the department the details of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ol style="list-style-type: none"> a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential harm caused by the incident or potential non-compliance or actual non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.
Original dated 1/06/2021	<p>32. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>
	Independent Audit
As varied the date this approval is signed.	<p>32A. The approval holder must ensure that an independent audit of compliance with the conditions is conducted every five-year period following the commencement of the Action until this approval expires (unless otherwise specified in writing by the Minister).</p>
As varied the date this approval is signed.	<p>33. For each independent audit, the approval holder must:</p> <ol style="list-style-type: none"> a. provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting an audit report to the department prior to commencing the independent audit; b. only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the

Date of decision	Conditions attached to approval
	<p>audit report have been approved in writing by the department; and</p> <p>c. submit the audit report to the department for approval within the timeframe specified in the approved audit criteria.</p>
Original dated 1/06/2021	34. The approval holder must publish the audit report on the website within 10 business days of receiving the department's approval of the audit report and keep the audit report published on the website until the end date of this approval.
As varied the date this approval is signed.	34A. Each audit report must report for the 5-year period preceding that audit report .
As varied the date this approval is signed.	34B. Each audit report must be completed to the satisfaction of the Minister and be consistent with the <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines</i> , Commonwealth of Australia 2019.
Original dated 1/06/2021	35. The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister 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 EPBC Act . If the Minister 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.
As varied the date this approval is signed.	35A. The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.
As varied the date this approval is signed.	36. Within 20 business days after the completion of the action , and, in any event, at least 20 business days before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data . The approval holder must submit any spatial data that comprises completion data as a shapefile .

Date of decision	Definitions attached to approval
As varied the date this approval is signed.	Audit report means a written report of compliance and fulfilment of the conditions attached to this approval, objectively evaluated against the audit criteria approved by the department .
Original dated 1/06/2021	Biodiversity Assessment Method means the biodiversity assessment method established under the <i>Biodiversity Conservation Act 2016</i> (NSW)

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	for the purpose of assessing the impact of actions on threatened species and threatened ecological communities, and their habitats.
Original dated 1//06/2021	Box Gum Woodland 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 EPBC Act .
Original dated 1//06/2021	Business days 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	Clearing/clear/cleared 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).
As varied the date this approval is signed.	<p>Commence the action or commences the Action means the first instance of any specified activity associated with the action including clearing and construction. Commencement of the action does not include minor physical disturbance necessary to:</p> <ol style="list-style-type: none"> a. undertake surveys or monitoring programs; b. install signage and /or temporary fencing to prevent unapproved use of the project area; c. protect environmental and property assets from fire, weeds and pests, including installing temporary fencing, and use of existing surface access tracks; d. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they do not harm any protected matters; and e. conduct investigative drilling, excavation or salvage.
Original dated 1//06/2021	Commissioning means all activities, including turning of turbines, after the components of the first complete wind turbine are installed. The date on which commissioning commences is the first date on which the blades of the first completed wind turbine start rotating.
Original dated 1//06/2021	Completed layout means the post-construction 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 project area , and specifying the total area of habitat for each protected matter that will be impacted by the action.
Original dated 1//06/2021	Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met. The department's preferred spatial data format is shapefile . This includes, but is not limited to, the total area of habitat for each protected matter cleared within the project area .

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Original dated 1//06/2021	Completion of the action means all specified activities associated with the action have permanently ceased.
Original dated 1//06/2021	Compliance records 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.
Original dated 1//06/2021	<p>Compliance report/s means written reports:</p> <ul style="list-style-type: none"> a. providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans; b. consistent with the department's <i>Annual Compliance Report Guidelines</i> (2014); c. include a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period; and d. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period.
Original dated 1//06/2021	Confirmed Superb Parrot nest trees means the nest trees labelled as 'Confirmed Superb Parrot Nest Trees as shown in Appendix B .
As varied the date this approval is signed	Construct or Construction 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.
Original dated 1//06/2021	CPI means the Consumer Price Index, sourced from the Australian Bureau of Statistics, based on the change for All Groups CPI over the June-to-June period (released at the end of June each year).
Original dated 1//06/2021	Department means the Australian Government agency responsible for administering the EPBC Act .
Original dated 1//06/2021	Environmental Management Plan Guidelines means the <i>Environmental Management Plan Guidelines</i> (2014), or subsequent revisions, available from the department's website.
Original dated 1//06/2021	EPBC Act means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
Original dated 1//06/2021	EPBC Act Environmental Offsets Policy means the <i>Environment Protection and Biodiversity Conservation Act 1999</i> Environmental Offsets

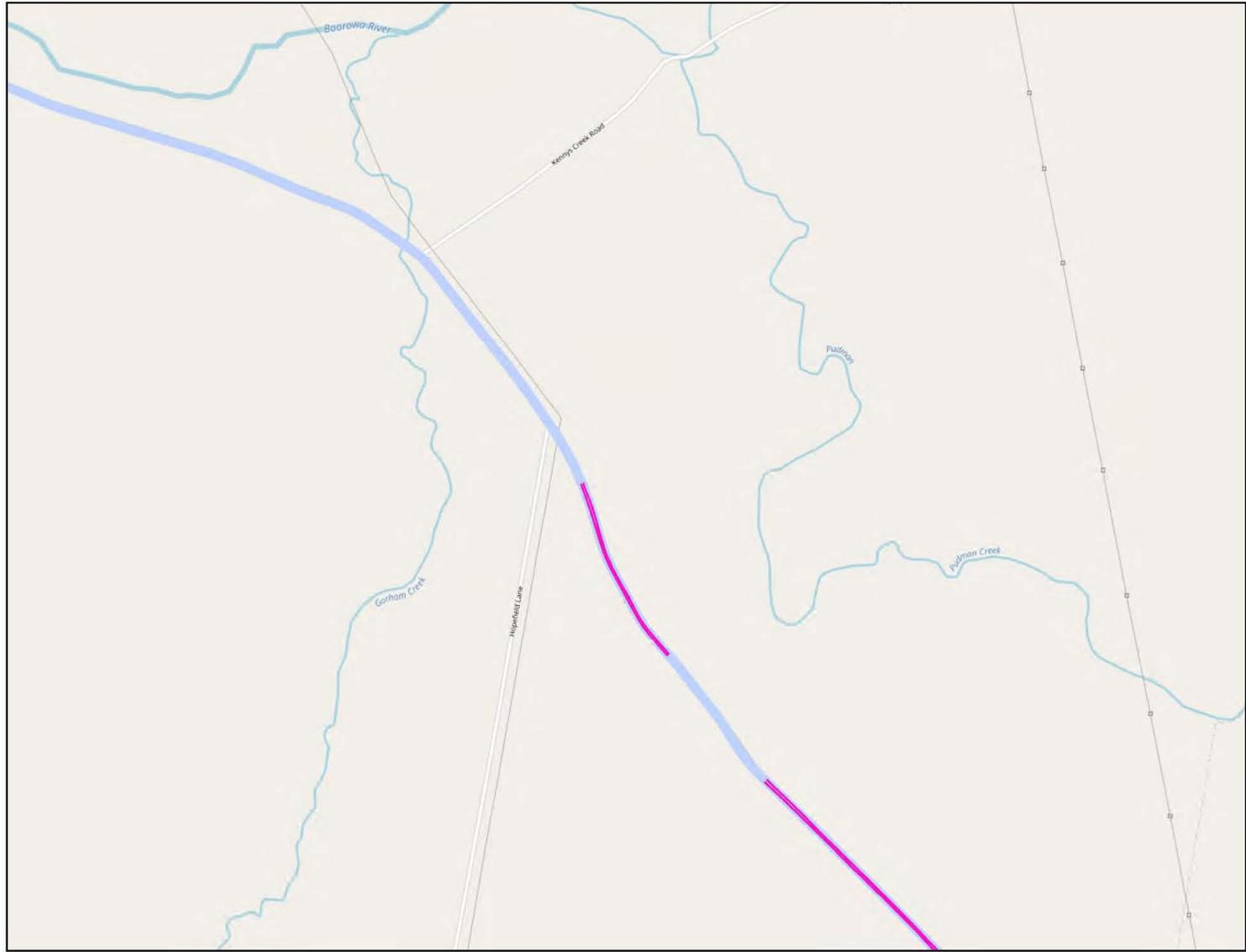
Date of decision	Definitions attached to approval
	Policy (October 2012) including the Offsets Assessment Guide, or any subsequent official version.
Original dated 1//06/2021	EPBC Act listed migratory species means migratory species listed under the EPBC Act for which this approval has effect, including White-throated Needletail (<i>Hirundapus caudacutus</i>).
Original dated 1//06/2021	EPBC Act listed bird or bat species means the EPBC Act listed threatened species and EPBC Act listed migratory species for which this approval has effect that are bird or bat species.
Original dated 1//06/2021	<p>EPBC Act listed threatened species means the threatened fauna species listed under the EPBC Act for which this approval has effect, including:</p> <ul style="list-style-type: none"> a. Superb Parrot (<i>Polytelis swainsonii</i>); b. Golden Sun Moth (<i>Synemon piano</i>); c. Striped Legless Lizard (<i>Delma impar</i>); d. White-throated Needletail (<i>Hirundapus caudacutus</i>).
Original dated 1//06/2021	Evidence means documentation from the relevant authority showing that like-for-like biodiversity credits have been retired .
Original dated 1//06/2021	Final layout means the pre-construction 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 project area , and specifying the total area of habitat for each protected matter that will be impacted by the action.
Original dated 1//06/2021	Golden Sun Moth means the species <i>Synemon piano</i> listed as critically endangered under the EPBC Act .
Original dated 1//06/2021	Golden Sun Moth habitat means habitat preferred by the Golden Sun Moth , which is dependent on the presence of grasslands, including non-native grasslands. Golden Sun Moth habitat is located where the species is listed to or may occur, and any known Golden Sun Moth 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 department's website (equivalent NSW plant community type (PCT) includes: PCT 350 and 351).
As varied the date this approval is signed.	Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.
Original dated 1//06/2021	HBTs means hollow-bearing trees located within the areas marked orange and labelled as 'Vegetation Type - PCT 350' as shown in <u>Appendix B</u> .

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Original dated 1//06/2021	Impact/s/ed (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action. Impact (noun) means any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.
As varied the date this approval is signed.	Incident means any event which has the potential to, or does, harm one or more protected matter(s) other than as permitted under this approval.
Original dated 1//06/2021	Independent 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	Independent audit/s means an audit conducted by an independent and suitably qualified person 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	Like-for-like biodiversity credit/s means like-for-like ecosystem credits and like-for-like species credits as relevant to protected matters .
Original dated 1//06/2021	Like-for-like ecosystem credits has the meaning given under the <i>Biodiversity Conservation Act 2016</i> (NSW) (BC Act).
Original dated 1//06/2021	Like-for-like species credits has the meaning given under the <i>Biodiversity Conservation Act 2016</i> (NSW) (BC Act).
Original dated 1//06/2021	Minister means the Australian Government Minister administering the EPBC Act including any delegate thereof.
Original dated 1//06/2021	Monitoring data means the data required to be recorded under the conditions of this approval.
Original dated 1//06/2021	National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i> means the document cited as 'Baker-Gabb, D. (2011). <i>National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i></i> . Department of Sustainability and Environment, Melbourne' or subsequent revisions, available from the department's website.
Original dated 1//06/2021	Operation means all activities after the components of the final wind turbine are installed.
Original dated 1//06/2021	Plan/s means any of the documents required to be prepared, approved by the Minister , and/or implemented by the approval holder and published on the website in accordance with these conditions (includes action management plans and/or strategies).

Date of decision	Definitions attached to approval
Original dated 1//06/2021	Project area means all of the area marked in blue and labelled as 'Project Area - Road Upgrades' as shown in Appendix A , 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 Appendix B .
Original dated 1//06/2021	Protected matter/s means a matter protected under a controlling provision in Part 3 of the EPBC Act for which this approval has effect.
Original dated 1//06/2021	Retained Superb Parrot nest tree/s means any Superb Parrot nest tree remaining within the project area after the clearance limit for HBTs under condition 3 has been reached.
Original dated 1//06/2021	Retire/retired means change the status of a like-for-like biodiversity credit such that the like-for-like biodiversity credit can no longer be bought or sold.
Original dated 1//06/2021	Sensitive ecological data 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	Shapefile/s 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	South-west Slopes of NSW Important Bird Area means the area identified by Birdlife Australia as the core distribution of Superb Parrots 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 www.birdlife.org .
Original dated 1//06/2021	Striped Legless Lizard means the species <i>Delma impar</i> listed as vulnerable under the EPBC Act .
Original dated 1//06/2021	Striped Legless Lizard habitat means areas with ecological conditions supporting the Striped Legless Lizard , 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 department's website.
Original dated 1//06/2021	Suitably qualified expert/s 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 Box Gum Woodland, Superb Parrot, Golden Sun Moth, Striped Legless Lizard and White-throated Needletail (<i>Hirundapus caudacutus</i>), and can give an authoritative assessment and advice on the presence of and management requirements of Box Gum Woodland, Superb Parrot, Golden Sun Moth, Striped Legless Lizard

Date of decision	Definitions attached to approval
	and White-throated Needletail (<i>Hirundapus caudacutus</i>) using relevant protocols, standards, methods and/or literature.
Original dated 1//06/2021	Suitably qualified person 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	Suitably qualified persons or organisations 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.
Original dated 1//06/2021	Superb Parrot means the species <i>Polytelis swainsonii</i> listed as vulnerable under the EPBC Act .
Original dated 1//06/2021	Superb Parrot habitat means habitat preferred by the Superb Parrot where the species may occur, and any known Superb Parrot 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 department's website (equivalent NSW PCT's include: PCT 350).
Original dated 1//06/2021	Superb Parrot nest tree 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 National Recovery Plan for the Superb Parrot <i>Polytelis swainsonii</i> and that have a hollow diameter >5 cm.
Original dated 1//06/2021	Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

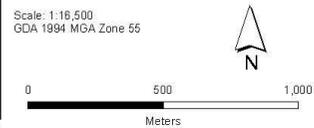
Date of decision	<u>Annexure A</u>
Original dated 1/6/2021	Appendix A
Variation dated 30/06/2022	Appendix B



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

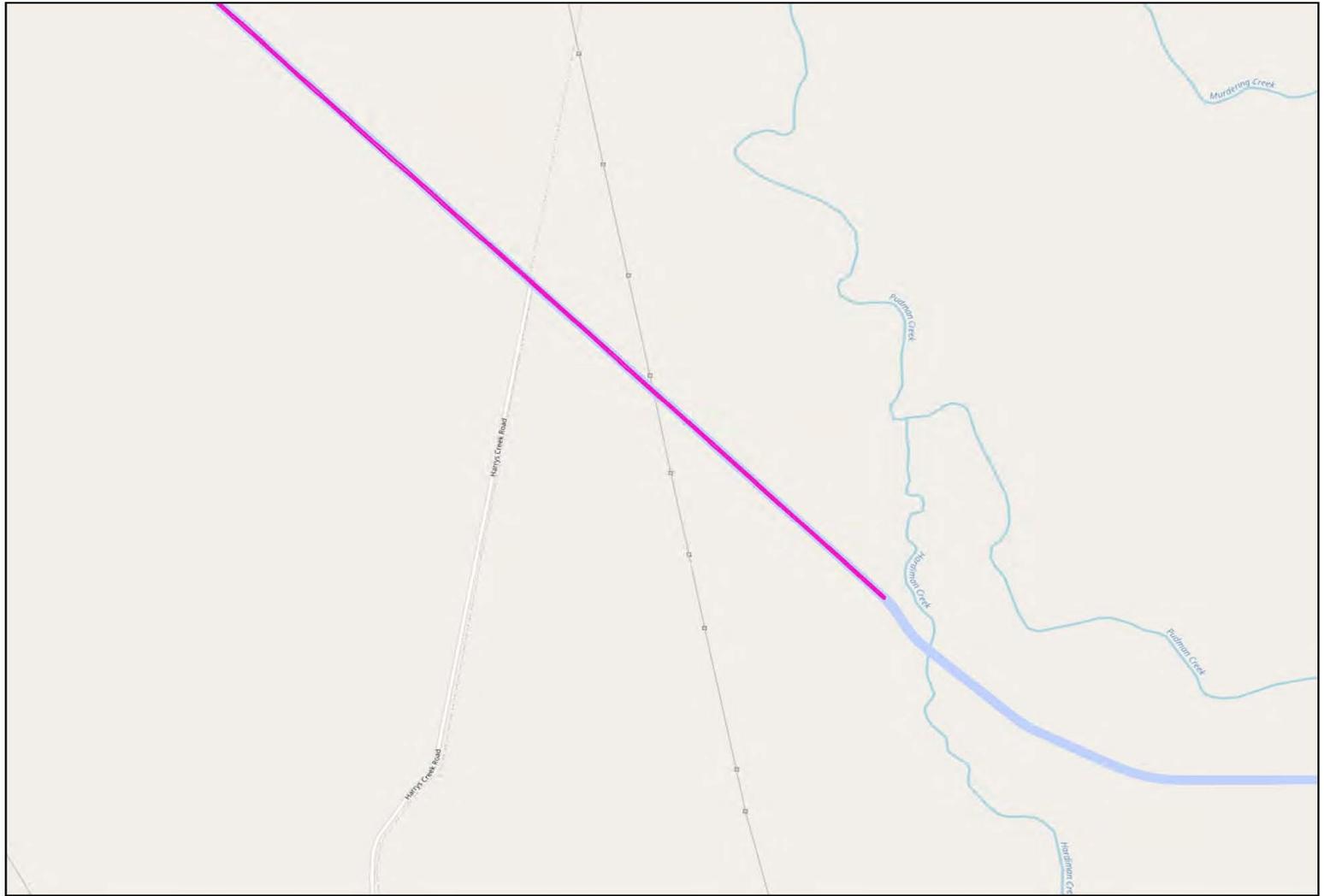
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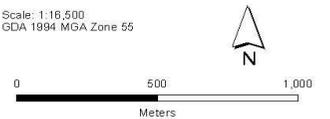




- Project Area - Road Upgrades
- Indicative Development Footprint - Road Upgrades

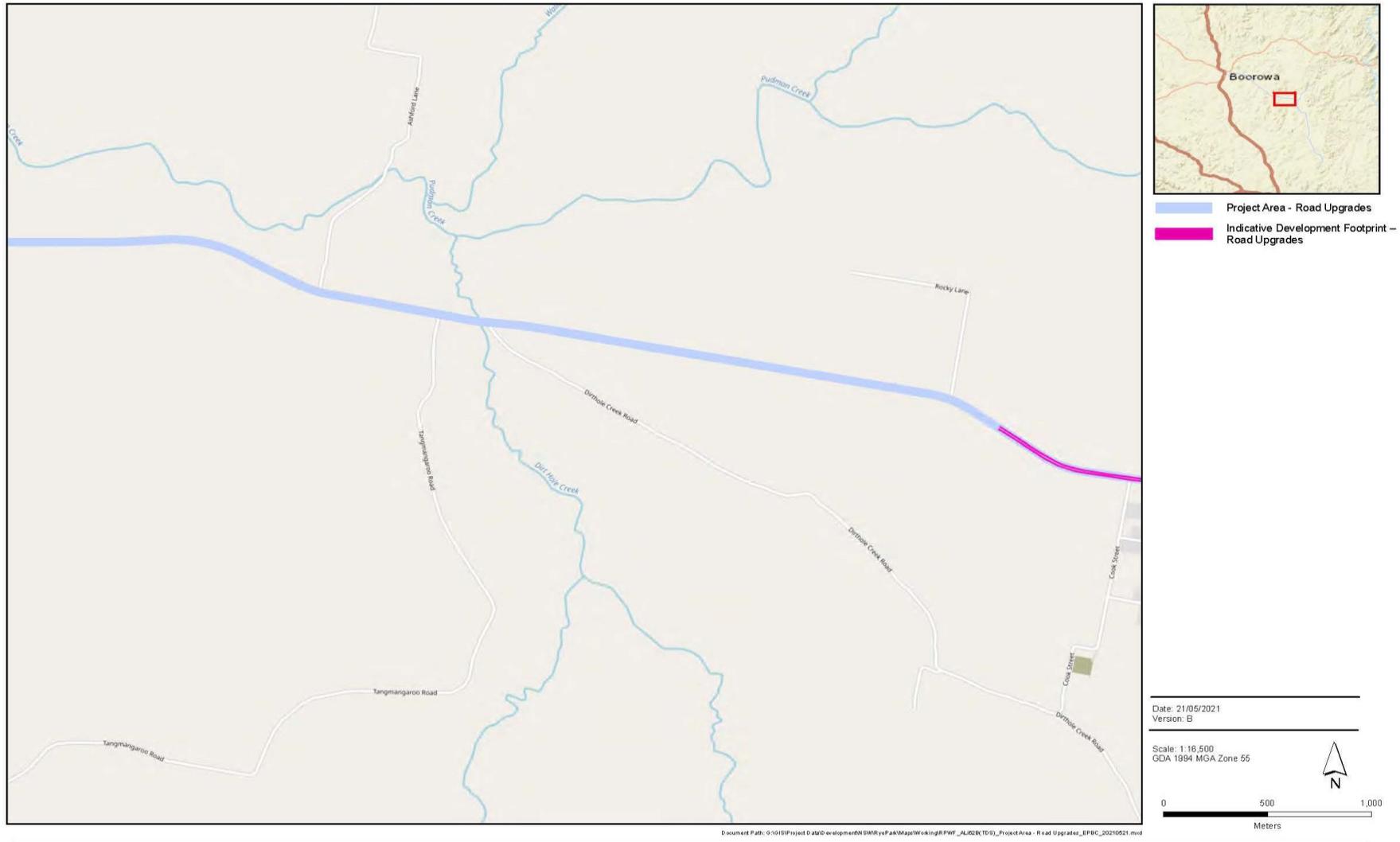
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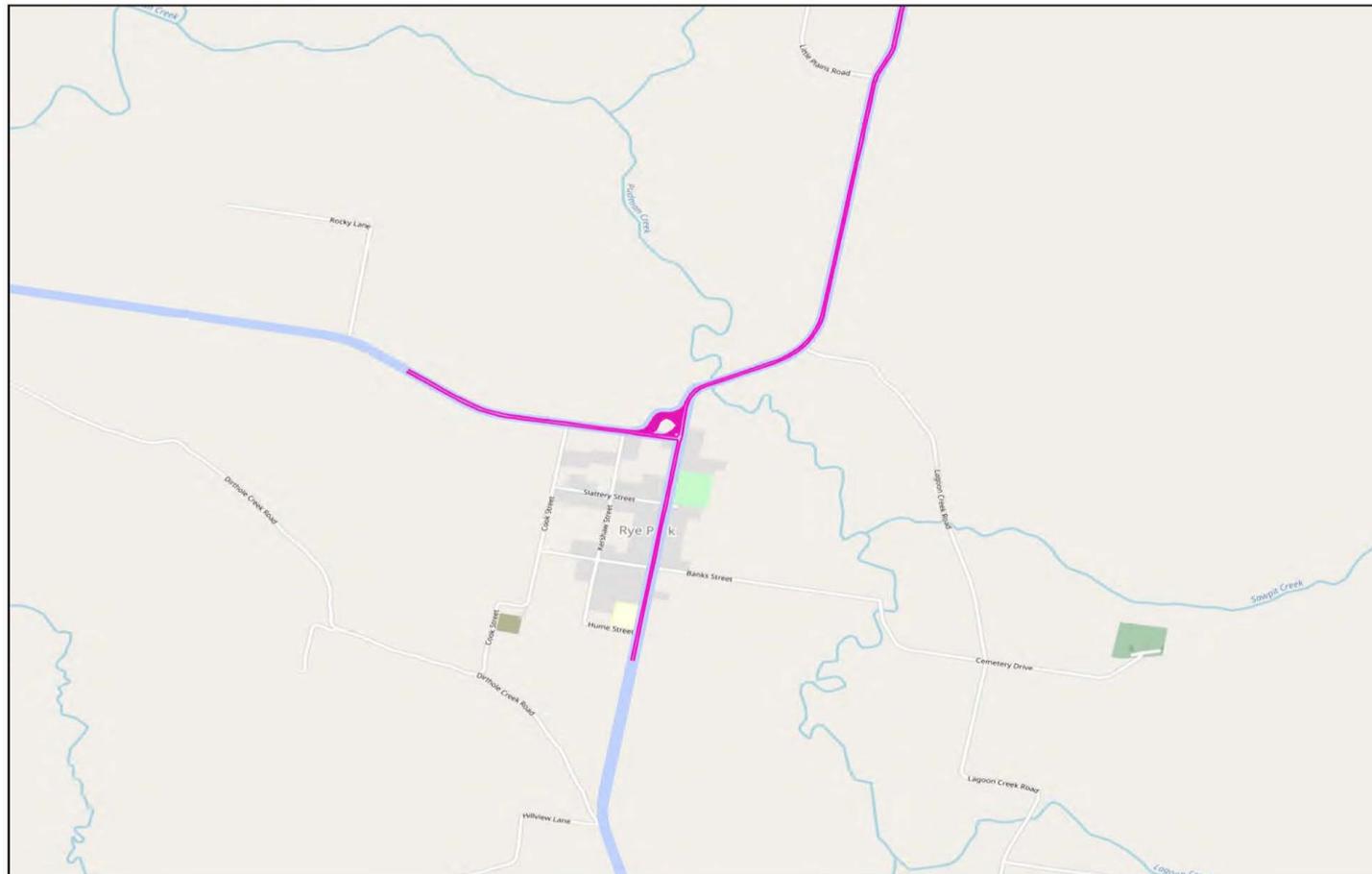
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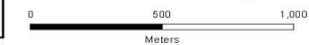




■ Project Area - Road Upgrades
■ Indicative Development Footprint – Road Upgrades

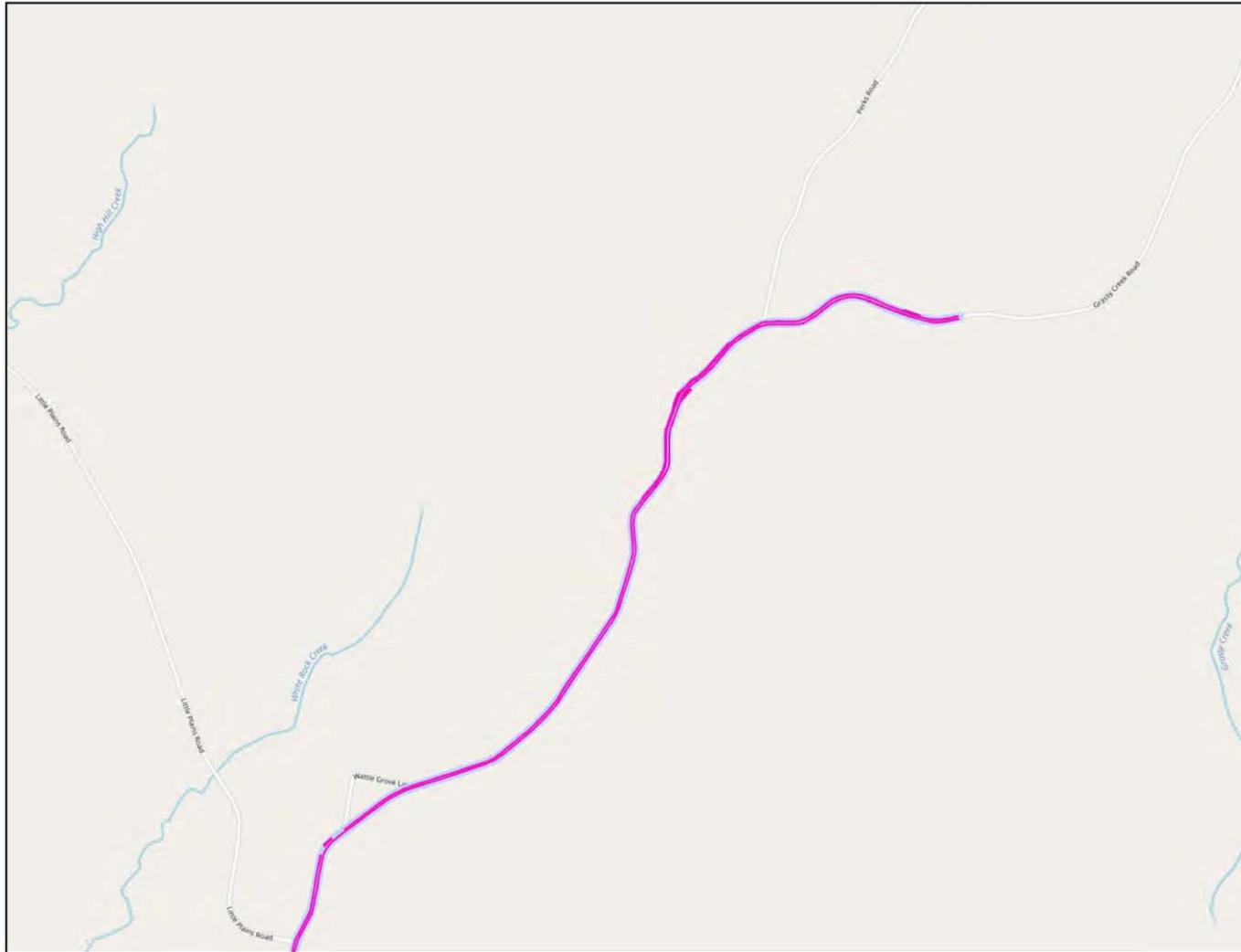
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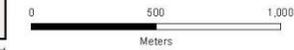




- Project Area - Road Upgrades
- Indicative Development Footprint - Road Upgrades

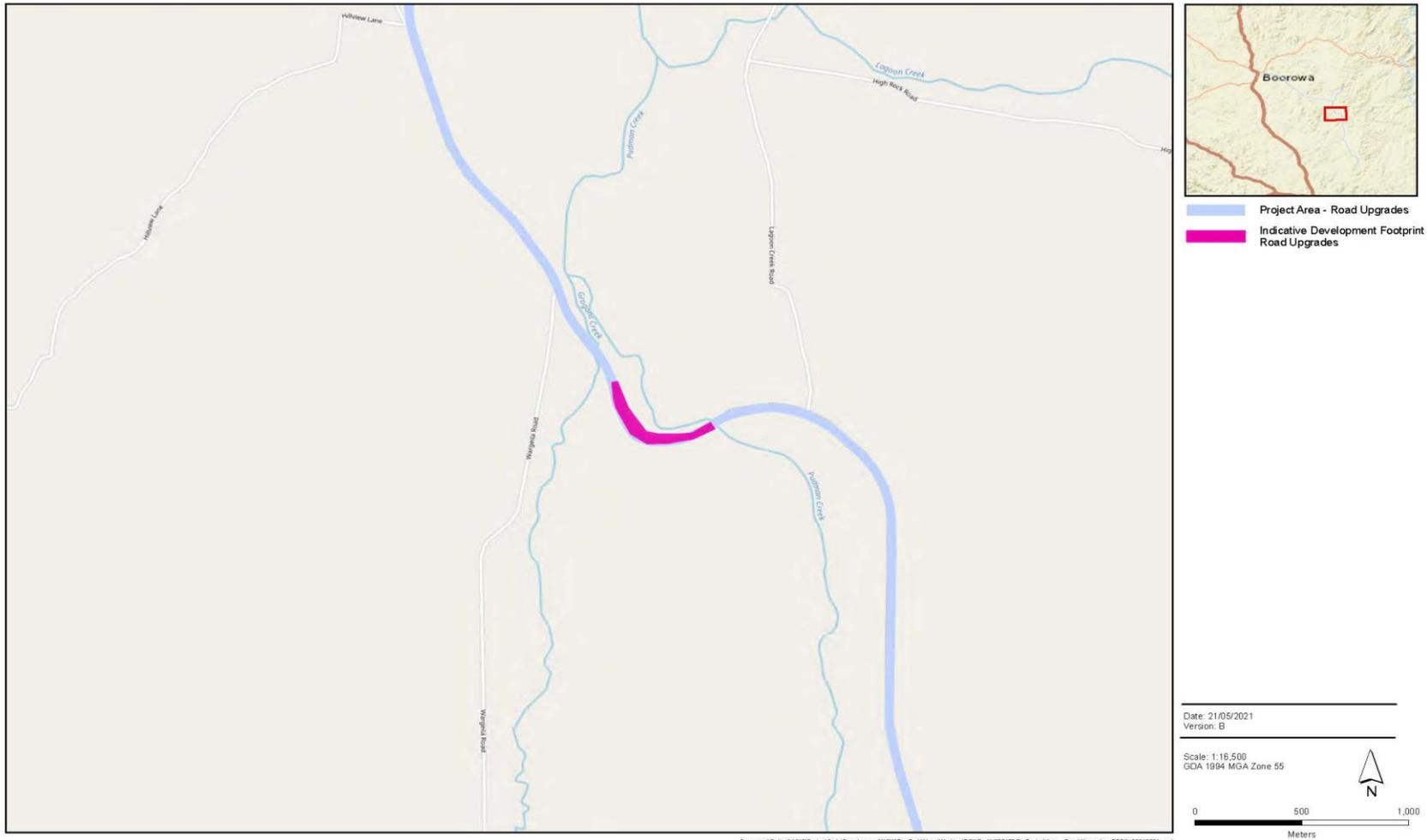
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Version: B

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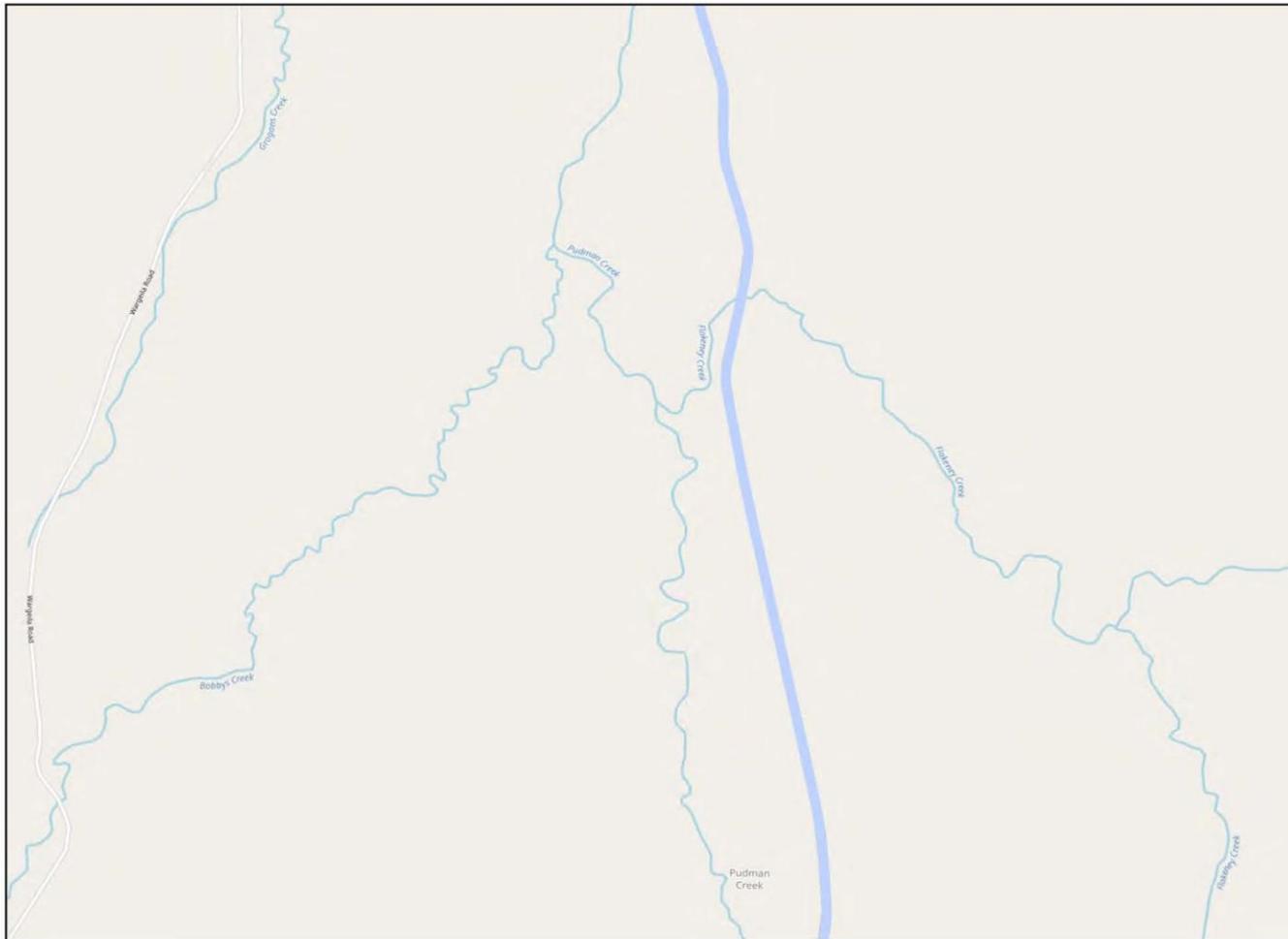
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Rye Park Wind Farm
Project Area - Road Upgrades
Page 7 of 11





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

Date: 21/05/2021
Version: 8

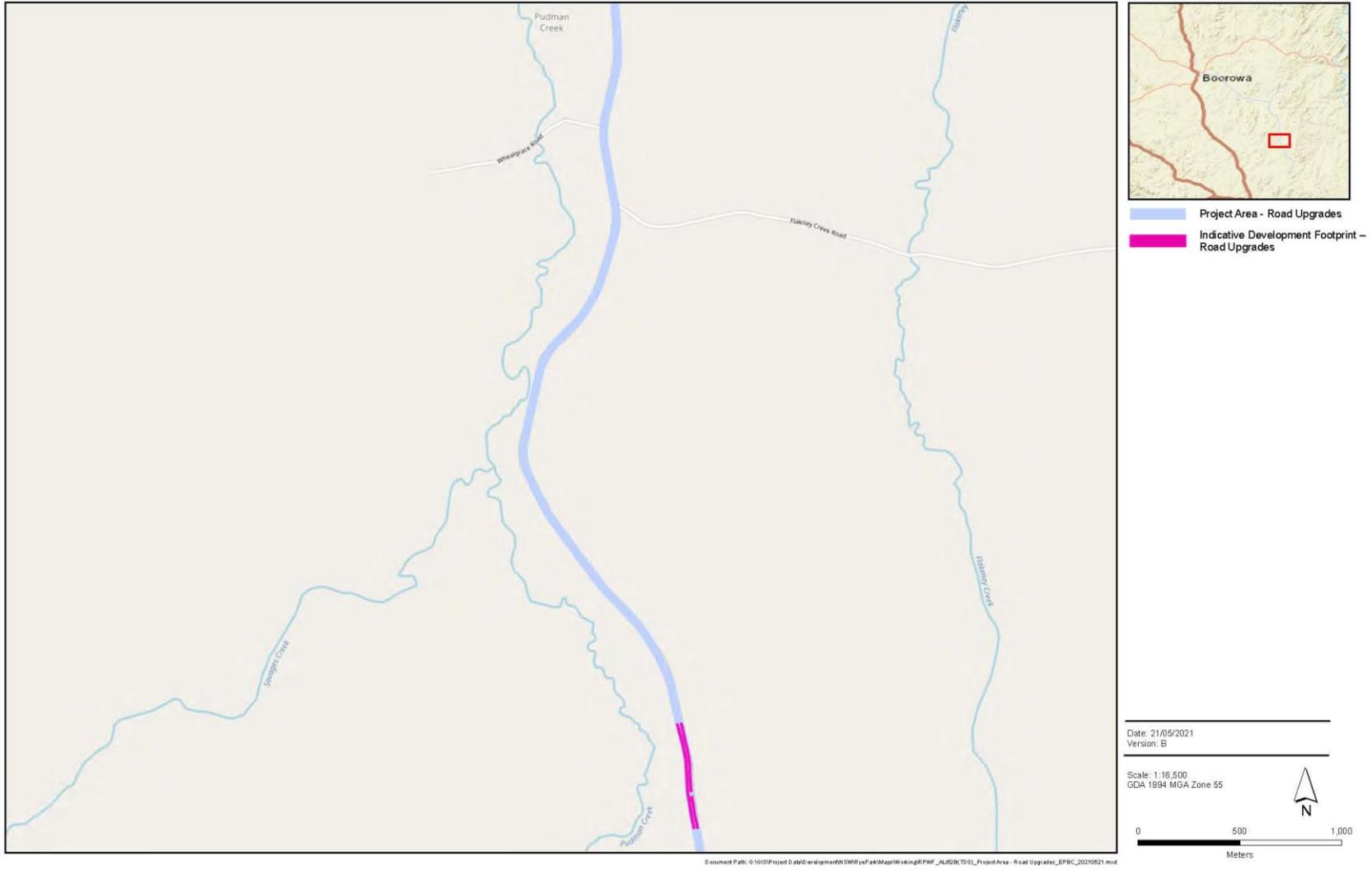
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Rye Park Wind Farm
Project Area - Road Upgrades
Page 8 of 11





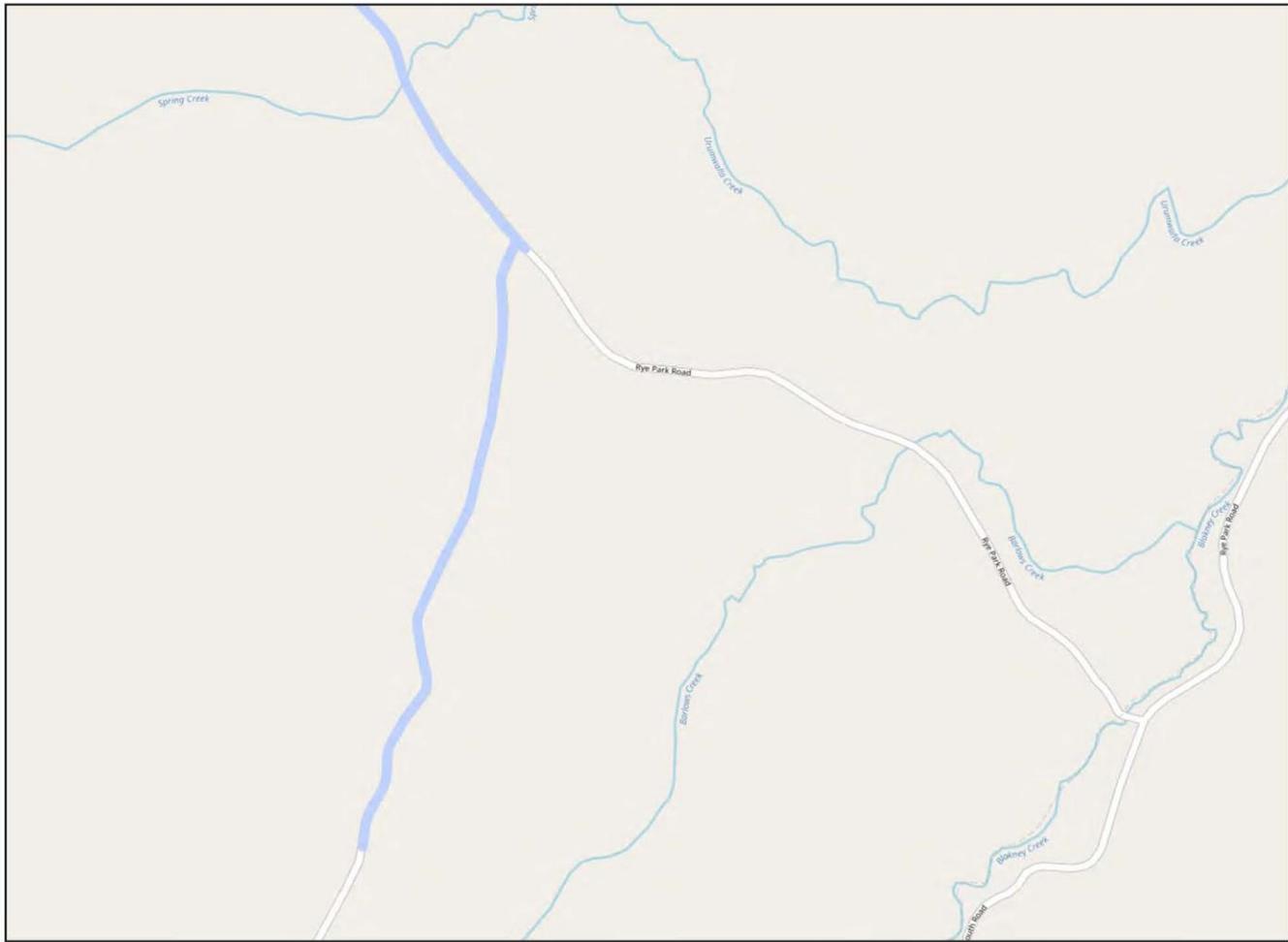


█ Project Area - Road Upgrades
█ Indicative Development Footprint - Road Upgrades

Date: 21/05/2021
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- Project Area - Road Upgrades
- Indicative Development Footprint – Road Upgrades

Date: 21/05/2021
Version: B

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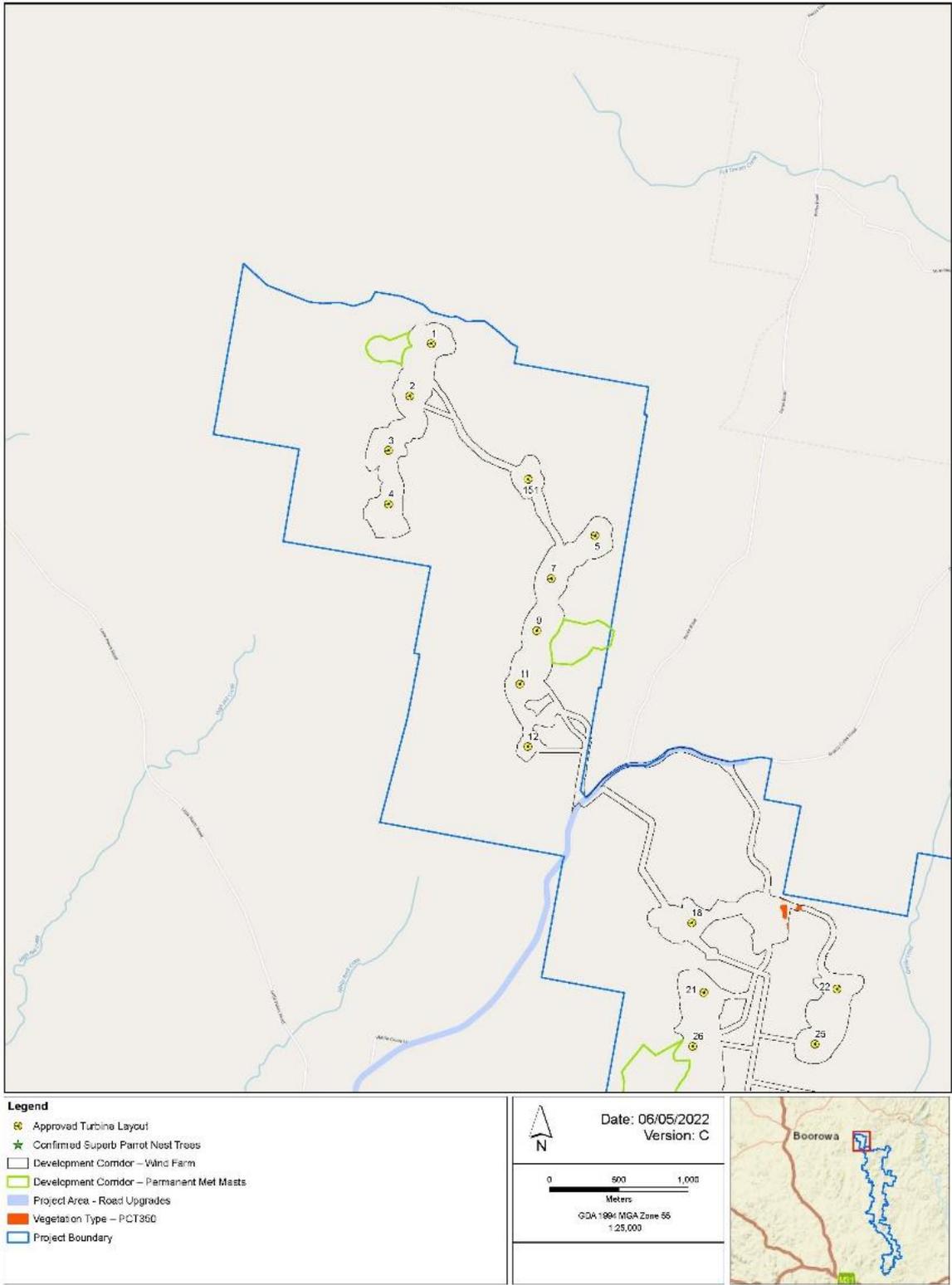
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Rye Park Wind Farm
Project Area - Road Upgrades
Page 11 of 11



Appendix B

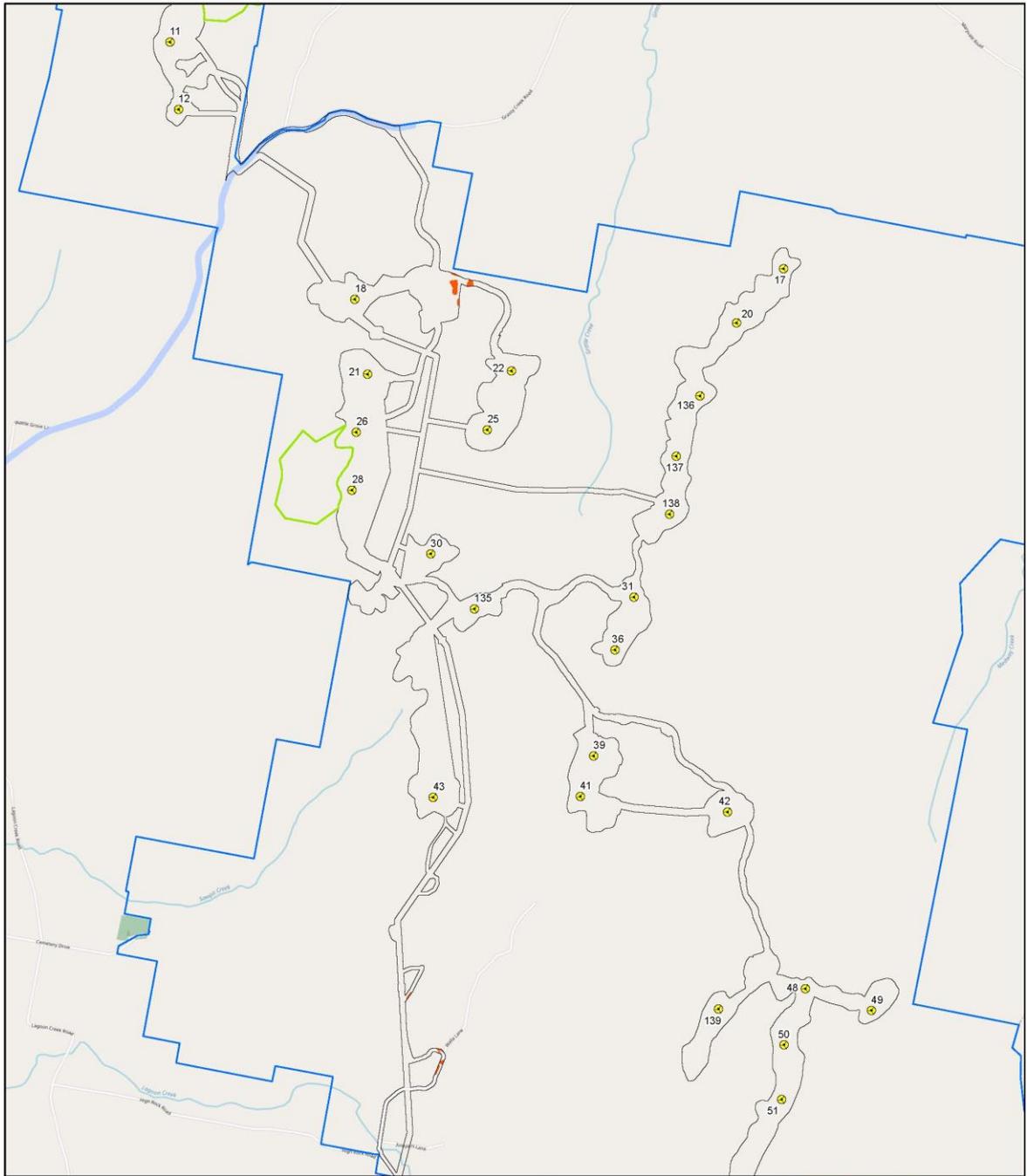


Rye Park Wind Farm

Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

Page 1 of 10





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



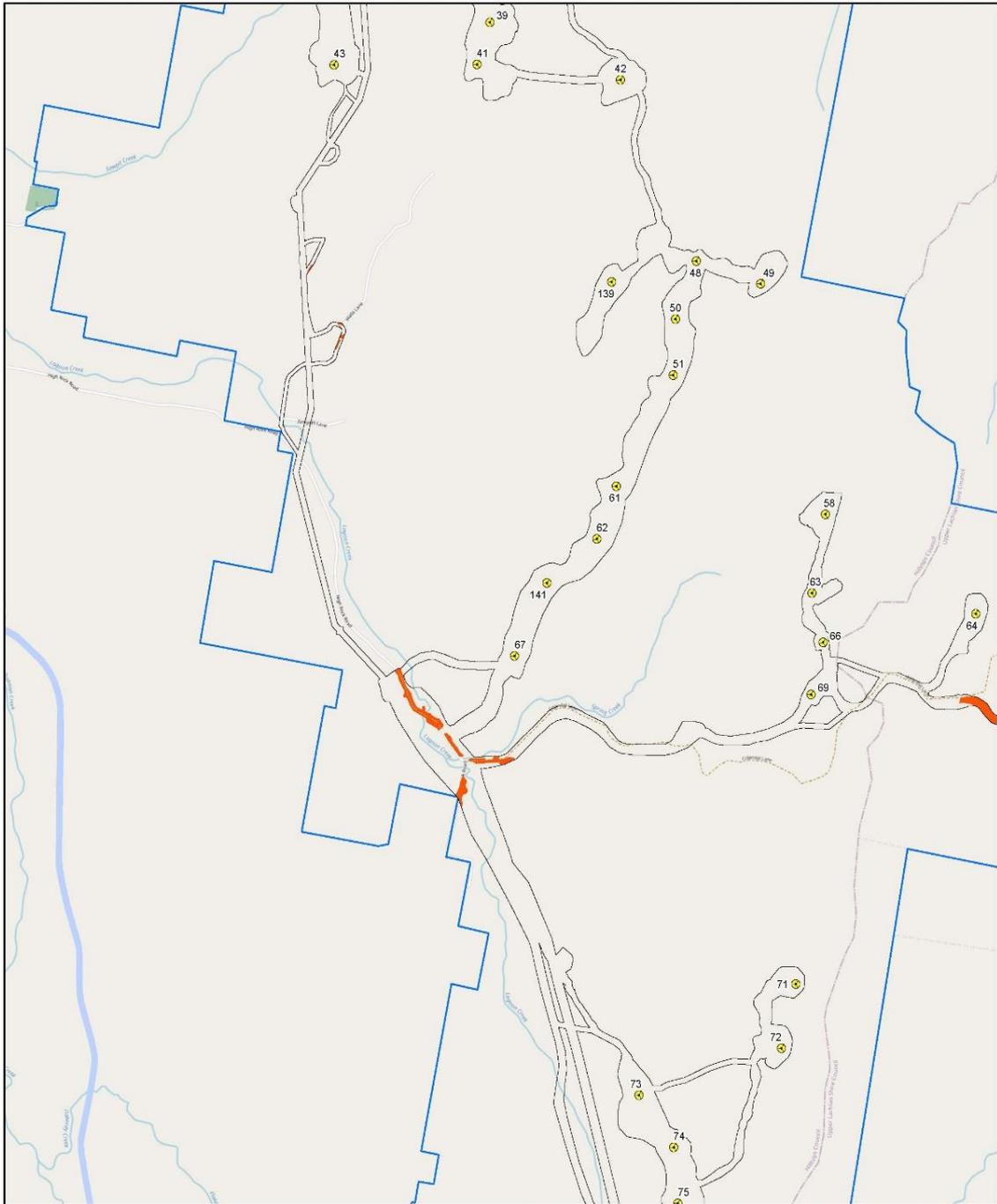
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Rye Park Wind Farm
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees
 Page 2 of 10





- 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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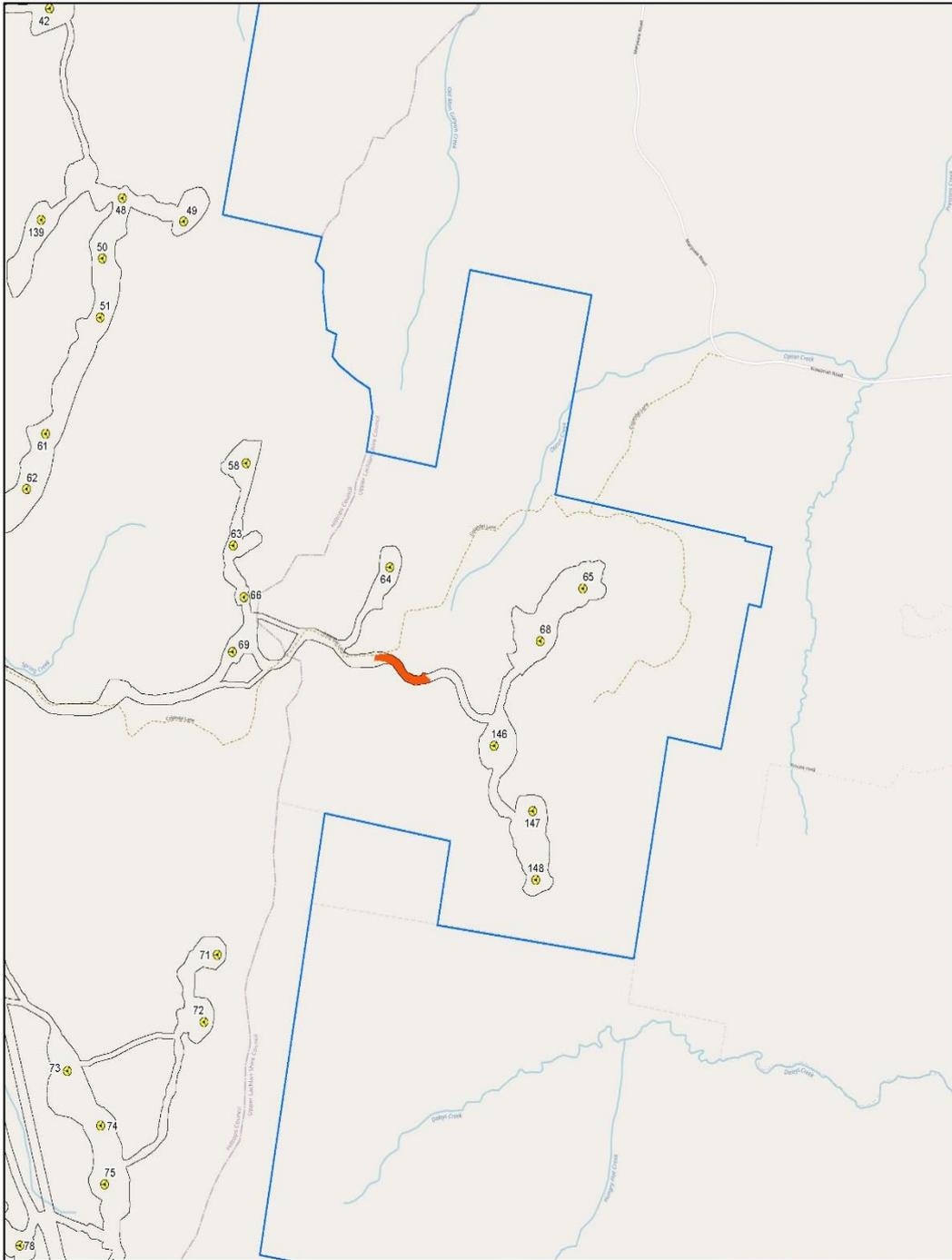
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Rye Park Wind Farm

Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees





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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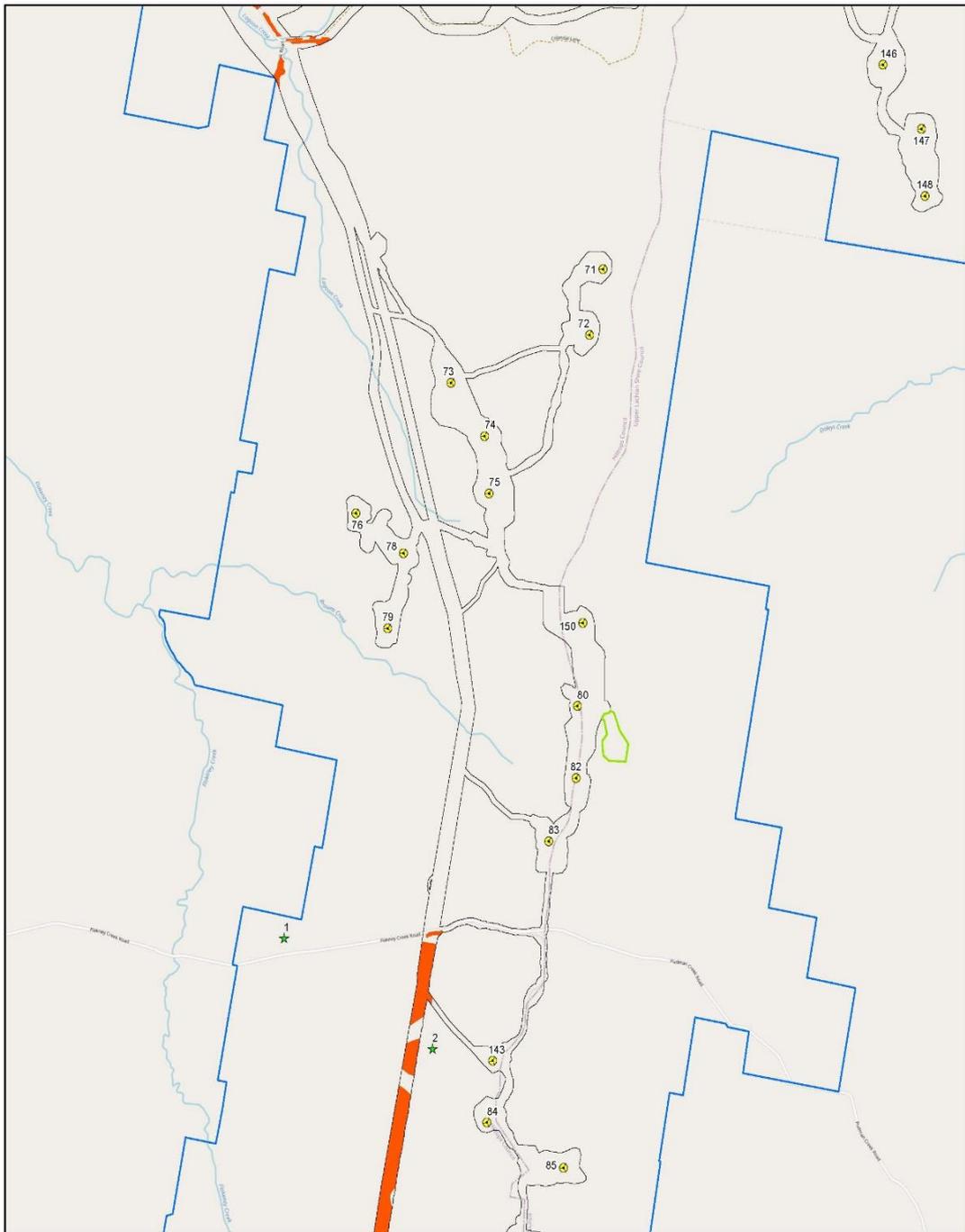


Rye Park Wind Farm

Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

Page 4 of 10





- 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
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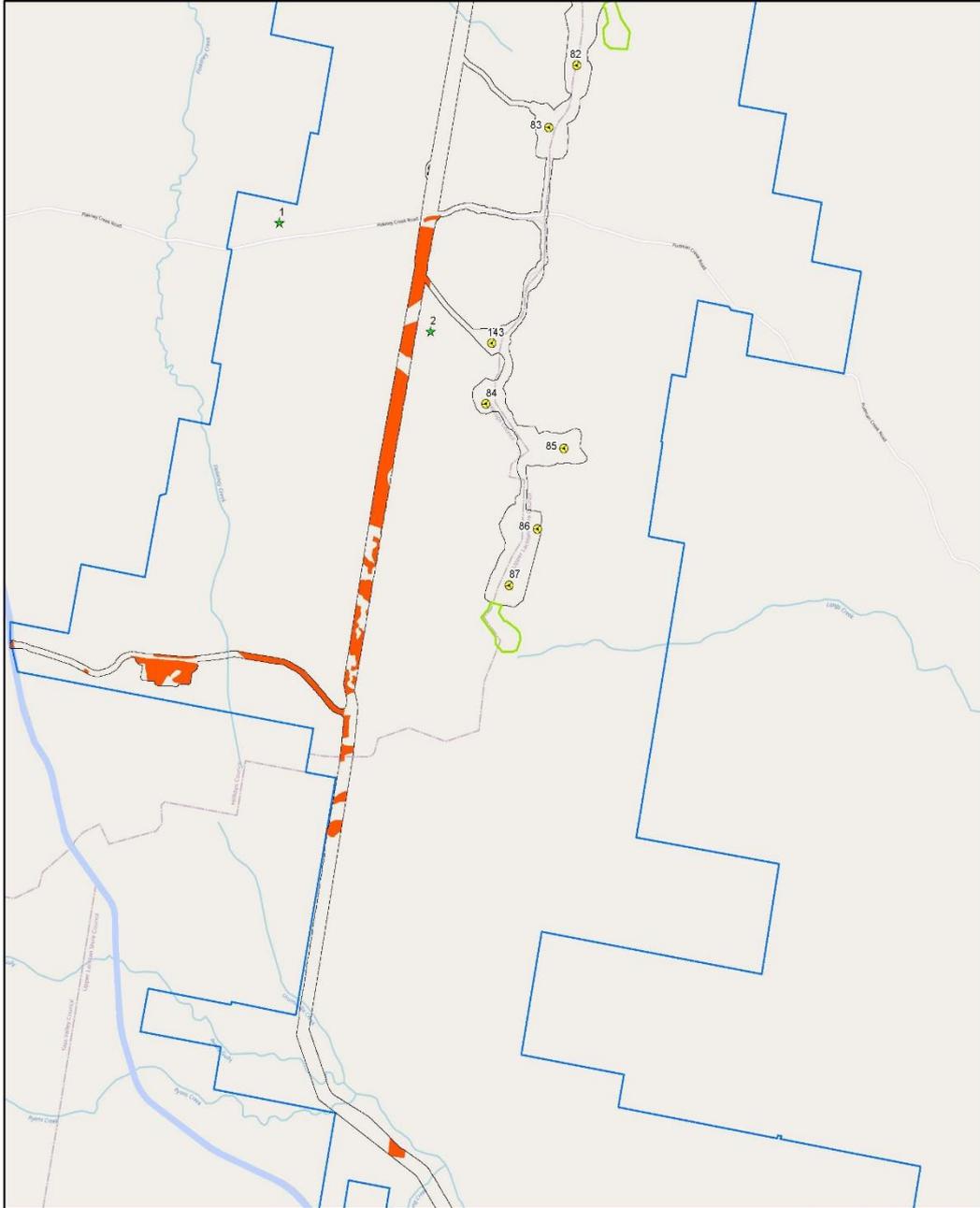


Rye Park Wind Farm

Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees

Page 5 of 10





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

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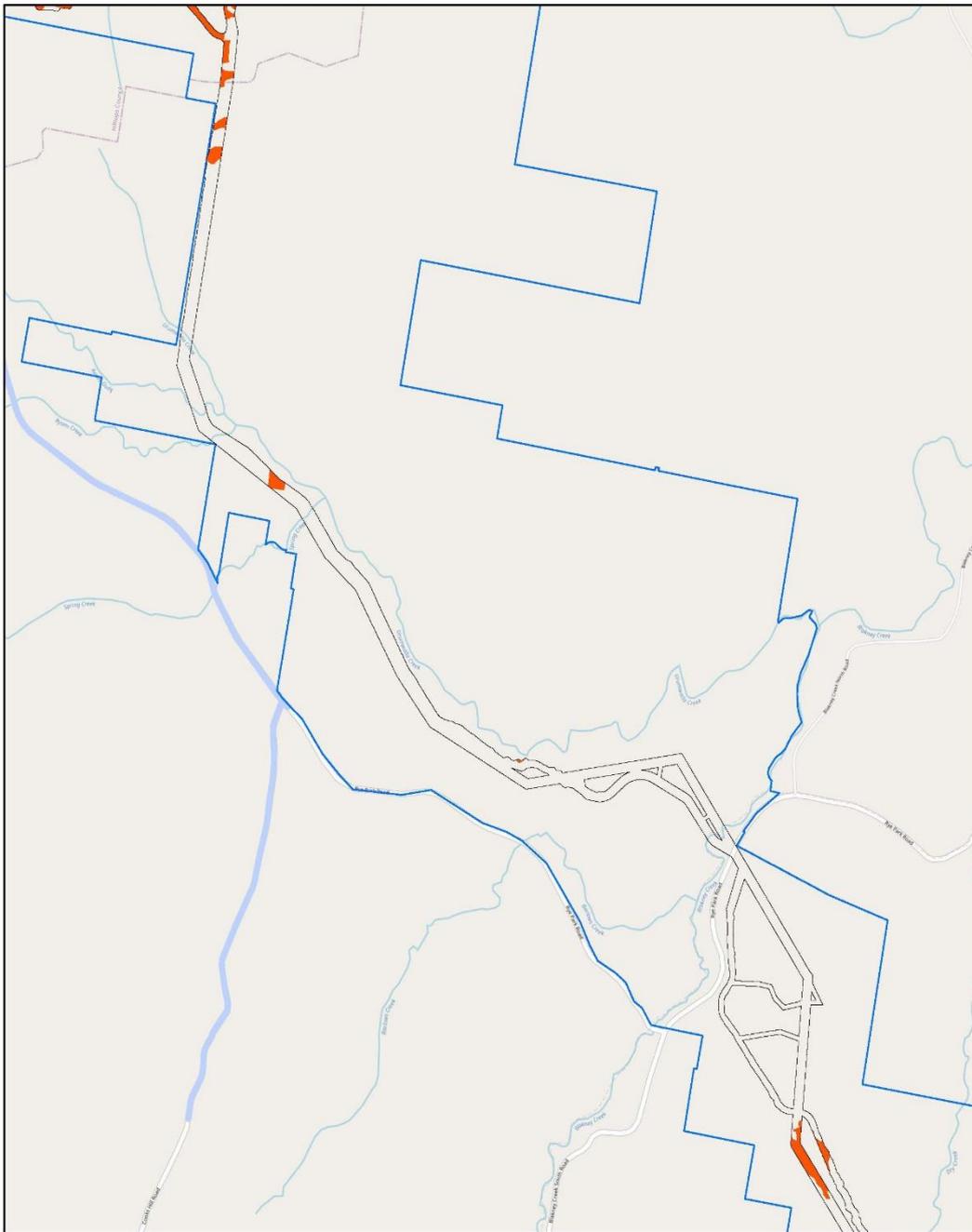
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Rye Park Wind Farm

Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees





- 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

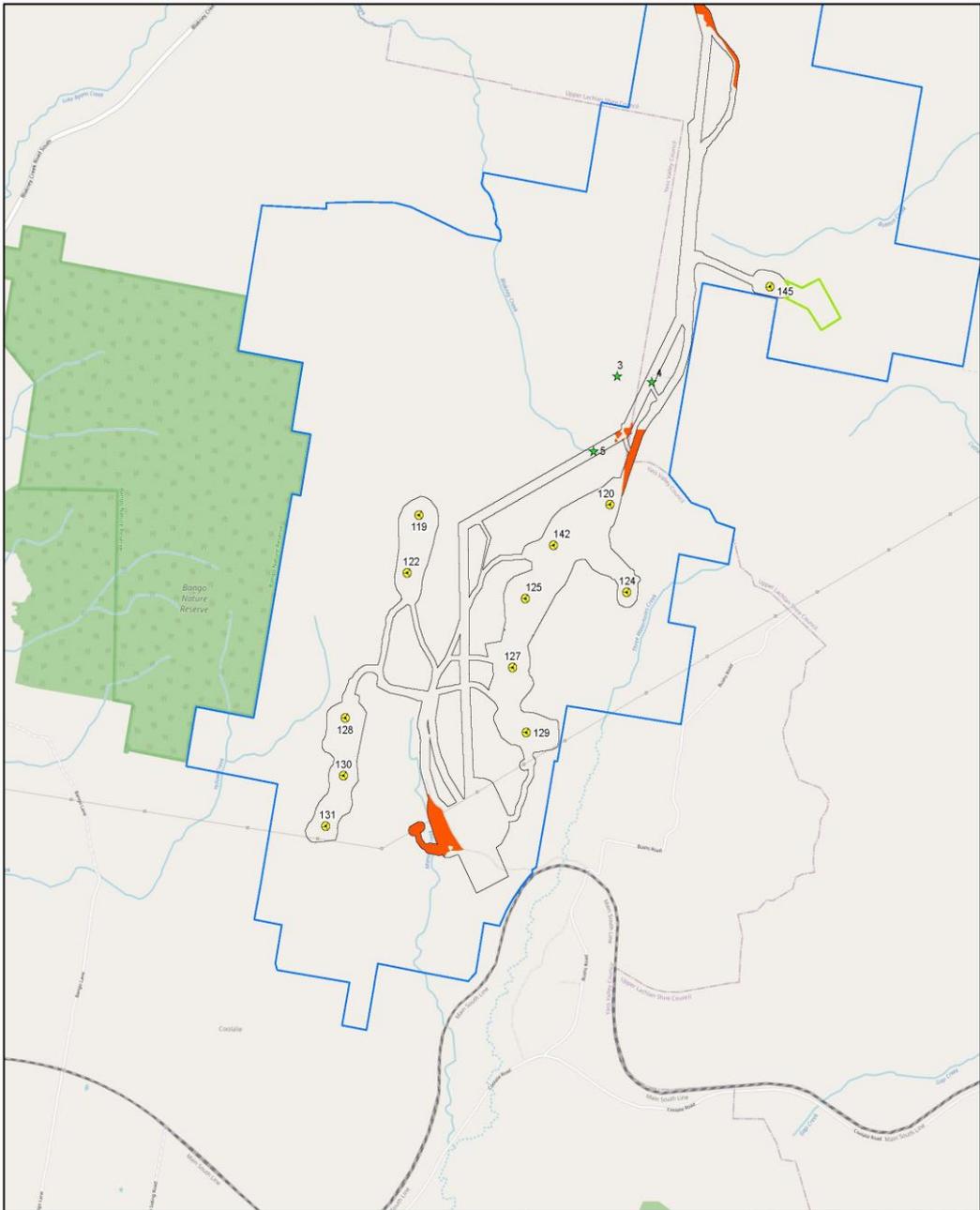

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Rye Park Wind Farm
 Hollow Bearing Trees and Confirmed Superb Parrot Nest Trees
 Page 7 of 10





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