



RYE PARK WIND FARM

Year 3 Compliance Report

(EPBC 2020/8837)

November 2024





Rye Park Wind Farm

Document Title: Rye Park Wind Farm Year 3 Compliance Report – EPBC 2020/8837

Revision: 1

Date: 16/11/2024

Document History and Status

Revision	Date	Description	By	Review	Approved
1	16/11/2024	Final	J. Beckett D. Owen	A. Galland	J. Beckett

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

James Beckett

Manager, Planning and Environment

Rye Park Renewable Energy Pty Ltd (ABN 34 601 541 931)

Date 16 / 11 / 2024

Rye Park Renewable Energy Pty Ltd

GPO Box 16080
Collins Street West
Melbourne
Victoria, 8007
Australia

Phone: 1300 660 623
tiltrenewables.com

Contents

1.0	Introduction	2
2.0	The Action	3
2.1	The Project.....	3
2.2	Works Undertaken (During Reporting Period).....	4
3.0	Approval Conditions Compliance	6
4.0	Identified non-compliances and incidents	21
5.0	Implementation of Plans	22
6.0	New environmental risks	23
	Attachment 1: BBAMP Implementation Summary	24
	Attachment 2: Completed Layout Confirmation	25
	Attachment 3: Notification of the Commencement of Operations	26
	Attachment 4: Satisfaction of Biodiversity Offset Liability	27



1.0 Introduction

Approval 2020/8837 (EPBC Approval) was granted on 1 June 2021 under the *Environment Protection and Biodiversity Act 1999 (Cth)* (EPBC Act) to Rye Park Renewable Energy Pty Ltd (ACN 601 541 931) (the Approval Holder) authorising the Approval Holder to “construct and operate a wind farm with up to 77 wind turbines, and associated infrastructure at Rye Park, New South Wales”, subject to conditions (the Action).

The purpose of this document is to demonstrate that there has been compliance with the conditions of the EPBC approval for the Action and to satisfy the relevant annual compliance reporting requirements of the EPBC Approval (Conditions 29 to 29B).

The Approval Holder that is undertaking the Action, which is further described in Section 2.0, is a subsidiary of a portfolio of companies that are trading as Tilt Renewables.

This is the third annual compliance report, which in accordance with Condition 29 of the EPBC Approval, seeks to demonstrate how the Project had complied with the conditions of the EPBC Approval for the period between **16 November 2023 and 15 November 2024** (the Reporting Period). The annual compliance report has been prepared with reference to the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2023), in line with the requirements of Condition 29A of the EPBC Approval.

The compliance report will be notified and published on the Approval Holder’s website (www.ryeparkwf.com.au) in line with the requirements of Condition 29 of the EPBC Approval.

2.0 The Action

The proposed action as described by the EPBC Approval is:

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 and variation request letter dated 31 May 2022]

As identified above, a variation to the EPBC Approval was subsequently approved on 30 June 2022 to allow for a refinement of the construction methodology and areas of disturbance, which was sought following the commencement of construction. A further directed variation to the EPBC Approval was issued on 2 May 2024 following identification of non-compliance with the EPBC Approval conditions by the Department of Climate Change, Energy, the Environment and Water (the Department) in a previous Reporting Period.

The Action is also subject to relevant State approvals with a Development Consent for the Action (SSD-6693-MOD2) being granted under the *Environmental Planning and Assessment Act 1979* by the NSW Planning Assessment Commission (now known as the Independent Planning Commission) on 22 May 2017, with a modification approved on 15 April 2021. A further modification to the Development Consent was approved by the Department of Planning and Environment on 23 September 2022.

2.1 The Project

The Action is located to the east of Rye Park, to the north-west of Yass and south-east of Boorowa, in New South Wales (NSW) (refer to Figure 1). It is located within the Yass Valley, Hilltops and Upper Lachlan Shire Council local government areas.

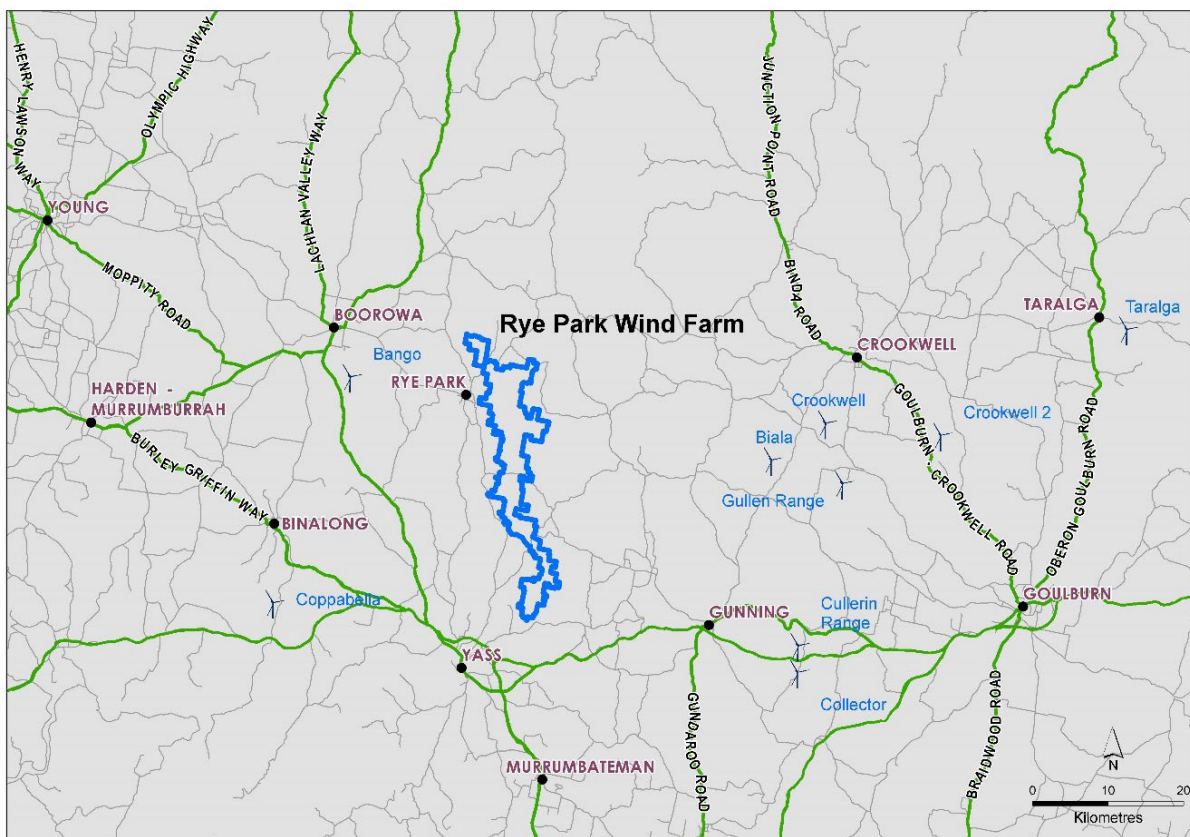


Figure 1: Site Location

The main components of the Action are as follows:

- 66 wind turbines, each with:
 - a capacity to generate up to 6 MW
 - three blades mounted on a tubular steel tower, with a combined height of blade and tower limited to a maximum tip height of 200 metres
 - crane hardstand area, and related turbine lay down area;
- A new 33 kV wind farm collection substation in the northern section of the Project site;
- A new 330 kV wind farm connection substation located adjacent to the existing TransGrid 330 kV transmission line in the southern section of the Project site;
- A temporary construction compound at the northern section of the Project site;
- A temporary construction compound to facilitate the upgrades on the TransGrid owned existing 330kV Transmission Line at the southern section of the Project site;
- A new overhead powerline approximately 30km in length, rated at up to 330 kV (nominal) capacity, running north-south along the length of the wind farm between the two substations. The powerline would be mounted on a single pole type structure and will either be single-circuit or double-circuit as required;
- Underground and overhead 33 kV electrical cabling linking the wind turbines to the on-site collection substations and connection substation;
- Operation and maintenance facility incorporating a control room and equipment storage at the southern section of the Project site;
- Temporary concrete batching plants and construction facilities;
- Access tracks required for each wind turbine and the related ancillary facilities above;
- Minor upgrades to local roads, as required for the delivery of the wind turbines; and
- Three temporary meteorological masts and two permanent monitoring masts for wind speed verification, weather and general monitoring purposes. The permanent monitoring masts are static guyed structures and are the height of the wind turbine hubs (119m).

The Action includes three key phases, including construction, operations and decommissioning. The Action was constructed in a single stage and following notification to the Department of the commencement of operation of the Action, is expected to have an operational life of 25-30 years.

2.2 Works Undertaken (During Reporting Period)

Notification was provided within the current Reporting Period of the Action commencing operations on 10 October 2024. Prior to the current Reporting Period, commissioning of the Action commenced in July 2023 and the Approval Holder provided notification of the details of the completed layout in October 2023, including confirmation of the civil disturbance associated with the Action.

The majority of the works undertaken during the Reporting Period related to the later-stage construction and wind turbine erection activities and the subsequent electrical commissioning activities of the wind turbines and electrical infrastructure. The Action has been fully operational for approximately the final month of the Reporting Period.

The following key activities have been undertaken in the Reporting Period:

- Associated road maintenance and rectification activities of both upgraded roads and other public

roads (with the initial road upgrades complete prior to the Reporting Period);

- The use of temporary construction facilities, including construction compound, construction laydown areas and on-site concrete batching operations;
- Construction and use of internal wind farm access tracks, with 54km of new access tracks constructed (totalling 75km as part of the Action including those completed in previous years);
- Bulk earthworks and installation of wind turbine foundations, with 22 of the foundations being poured and backfilled (totalling 66 wind turbines as part of the action including those completed in previous years);
- Erection, mechanical completion and progressive commissioning of the wind turbines, with an additional 19 wind turbines fully erected and 32 wind turbines commissioned, which represents the complete 66 wind turbines erected and commissioned;
- Installation of the 33kV and 330kV overhead transmission line foundations with 47 foundations for the 330kV transmission line complete (total of 120 foundations) and 20 foundation of the 33kV transmission line complete (total of 53 foundations), with stringing, commissioning and energisation of the overhead transmission lines complete;
- Installation of 23km of underground 33kV electrical cabling (totalling 90km as part of the Action including those completed in previous years);
- Electrical works on the northern and southern substations and operations and maintenance facility with these facilities commissioned and operational; and
- Progressive rehabilitation of temporary civil disturbance areas and temporary construction facilities not required for the operation of the Action.



3.0 Approval Conditions Compliance

The Approval Holder has demonstrated how the Action is compliant with the conditions of the EPBC Approval in Table 1.

Table 1: Approval Conditions Compliance

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
Part A – Conditions specific to the action			
Clearance Limits			
1	The approval holder must not construct more than 77 wind turbines. The approval holder must not construct outside the project area .	Compliant (ongoing requirements)	<p>In accordance with Condition 12 of the EPBC Approval, the Approval Holder submitted detailed plans of the final layout to the Department on 23 October 2021. These plans identified the intention of the Approval Holder to construct and operate 66 wind turbines as part of the Action, with no further amendment to the number of wind turbines proposed since submission of the final layout.</p> <p>Detailed plans of the Completed Layout were submitted to the Department on 27 October 2023 in accordance with Condition 15, which confirmed that 66 wind turbines had been constructed as part of the Action. The Action is now operational and no staging of the Action is proposed.</p> <p>Construction of the Action has only been undertaken within the defined project area, which is validated by the spatial data provided with the formal notification of civil disturbance areas as part of the Completed Layout. No further construction or disturbance has occurred outside areas advised to the Department on 27 October 2023 (previous Reporting Period).</p>
2	<p>The approval holder must not clear within the project area, except:</p> <ol style="list-style-type: none"> within the area labelled as 'Project area - Road Upgrades' as shown on the maps in Appendix A and Appendix B; and HBTs <p>unless the Offset Strategy required under condition 13 has been approved by the Minister.</p>	Compliant (condition fully satisfied)	<p>The Rye Park Wind Farm Biodiversity Offset Strategy (Revision 2, dated 8 November 2021) was approved by a delegate of the Minister for the Environment on 12 November 2021, prior to the commencement of the action (and clearing within the project area).</p> <p>Notice was provided to the Department on 16 November 2021 that the action commenced on 16 November 2021 in accordance with Condition 23(a).</p> <p>No update for current Reporting Period.</p>
3	<p>The approval holder must not clear more than:</p> <ol style="list-style-type: none"> 35.73 ha of Box Gum Woodland; 20.08 ha of Superb Parrot habitat; 233 HBTs; 	Compliant (condition fully satisfied)	<p>In accordance with the approved Rye Park Wind Farm Biodiversity Management Plan (Revision G, dated 26 September 2022), the Approval Holder has specific statutory performance criteria, which align with the relevant clearing limits identified in Condition 3 of the EPBC Approval.</p>

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
	<p>d. 85.28 ha of Golden Sun Moth habitat; and</p> <p>e. 43.29 ha of Striped Legless Lizard habitat</p> <p>within the project area.</p>		<p>Civil disturbance associated with the Action was complete in August 2023, with the surveyed spatial information of the actual disturbance areas subsequently validated by the Approval Holder and submitted to the Department on 28 October 2023 in accordance with Condition 15 of the EPBC Approval (previous reporting period).</p> <p>The final surveyed areas of actual disturbance associated with the construction of the Action, relevant to the ecological entities listed in Condition 3 of the EPBC Approval, are as follows:</p> <ul style="list-style-type: none"> a. 27.08ha of Box Gum Woodland (a reduction of 8.65ha from the relevant limit); b. 15.88ha of Superb Parrot habitat (a reduction of 4.20ha from the relevant limit); c. 32 HBTs (a reduction of 201 from the relevant limit); d. 65.22ha of Golden Sun Moth habitat (a reduction of 20.06ha from the relevant limit); and e. 37.57ha of Striped Legless Lizard habitat (a reduction of 5.72ha from the approved limit). <p>Following the conclusion of the civil disturbance (and commencement of progressive rehabilitation of the temporary disturbance areas), no further clearance is proposed to the relevant entities listed in Condition 3 during the operation of the Action.</p> <p>No update for current Reporting Period.</p>
4	The approval holder must not clear any confirmed Superb Parrot nest trees within the project area .	Compliant (condition fully satisfied)	<p>Project inspections and the final disturbance areas that form part of the Completed Layout Plans required by Condition 15 of the EPBC Approval confirm that no confirmed Superb Parrot nest trees have been impacted by the Action.</p> <p>No update for current Reporting Period.</p>
Management Plans			
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 .	Compliant (condition fully satisfied)	The Rye Park Wind Farm Biodiversity Management Plan (Revision F, dated 25 October 2021) was submitted to the Department on 2 November 2021 prior to the commencement of the Action on 16

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
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.	Compliant (condition fully satisfied)	<p>November 2021. The Plan was subsequently approved by a delegate of the Minister for the Environment on 4 November 2021.</p> <p>A non-compliance with this condition of the EPBC approval has been noted in the Reporting Period, relating to an incident that occurred in the previous reporting period (refer to Section 4.0). Otherwise, the Biodiversity Management Plan has been implemented by the Approval Holder and its contractors. The Approval Holder has undertaken inspections and monitoring to verify the implementation of the Plan by its contractors.</p>
7	<p>The BMP must be consistent with the department's Environmental Management Plan Guidelines, and must include:</p> <ol 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: <ol style="list-style-type: none"> i. details of pre-clearance surveys; 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; f. A monitoring program, which must include: <ol 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. g. A protocol for clearing HBTs to prevent harm or injury to any EPBC Act listed threatened species; and 	Compliant (condition fully satisfied)	<p>In assessing and approving the Rye Park Wind Farm Biodiversity Management Plan, the Department had assessed the Plan against the requirements of Condition 7 of the EPBC Approval and determined that the Plan sufficiently addresses the relevant obligations.</p> <p>Section 1.2 of the Biodiversity Management Plan identifies where each requirement of Condition 7 of the EPBC Approval has been addressed in the Plan.</p>

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
	h. Any links to other plans or conditions of approval (including State approval conditions).		
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.	Compliant (condition fully satisfied)	<p>The Rye Park Wind Farm Bird and Bat Adaptive Management Plan (Revision 8, dated 15 May 2023) (BBAMP) was submitted to the Department on 15 May 2023 and approved by a delegate of the Minister for the Environment and Water on 8 June 2023.</p> <p>The Approval Holder commenced commissioning of Action on 20 July 2023. Notification of the commencement of commissioning was provided to the Department on 23 July 2023 in accordance with Condition 23(b).</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.	Compliant (ongoing requirements)	<p>The Approval Holder has primarily implemented requirements of the BBAMP in relation to the commissioning phase actions during the Reporting Period, with the operational phase monitoring commenced but not reported on due to the limited timeframes for which the Action was operational during this Reporting Period. A summary of the implementation of the BBAMP in the reporting period has been provided with this Compliance Report (refer to Attachment 1).</p>
10	<p>The BBAMP must be consistent with the department's Environmental Management Plan Guidelines, and must include:</p> <ol style="list-style-type: none"> 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; 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; An assessment of risks to achieving the BBAMP environmental objectives and strategies that will be applied to manage risks; A proposed program of monitoring to detect or reliably estimate all 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: <ol style="list-style-type: none"> measurable performance indicators; triggers for corrective actions; 	Compliant (ongoing requirements)	<p>In assessing and approving the BBAMP, the Department had assessed the Plan against the requirements of Condition 10 of the EPBC Approval and determined that the Plan sufficiently addresses the relevant obligations.</p> <p>Section 1.2 of the BBAMP identifies where each requirement of Condition 10 of the EPBC Approval has been addressed in the Plan.</p>

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
	<ul style="list-style-type: none"> 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; e. Measures, and their timing, to avoid and mitigate impacts, including, but not limited to: <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; 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; 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; 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. 		
11	<p>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 within the project area from turbine strike, and report against triggers for corrective actions, in each compliance report required under condition 29.</p>	Compliant (ongoing requirements)	A report has been prepared by Umwelt (Australia) Pty Limited (refer to Attachment 1), which evaluates the effectiveness of the interim implementation of the BBAMP.
Offsets			

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
12	Prior to the commencement of the action , the approval holder must submit to the Minister detailed plans of the final layout .	Compliant (condition fully satisfied)	<p>In accordance with Condition 12 of the EPBC Approval, the Approval Holder submitted detailed plans of the final layout to the Department on 23 October 2021.</p> <p>It is noted that the Approval Holder did submit revised Final Layout Plans to the Department on 31 May 2022 as part of an updated Rye Park Wind Farm Biodiversity Offset Strategy (Revision 3, dated 31 May 2022), which was submitted with a request to vary the EPBC Approval. These revised Final Layout Plans were subsequently approved by the Department on 30 June 2022 as part of the Rye Park Wind Farm Biodiversity Offset Strategy (Revision 3, dated 31 May 2022).</p> <p>No update for current Reporting Period.</p>
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	Compliant (condition fully satisfied)	<p>The Rye Park Wind Farm Biodiversity Offset Strategy (Revision 2, dated 8 November 2021) was submitted to the Department on 8 November 2021 prior to the commencement of the Action on 16 November 2021. Following submission of the Plan, it was subsequently approved by a delegate of the Minister for the Environment on 12 November 2021.</p> <p>It is noted that the Approval Holder did submit a revised Biodiversity Offset Strategy on 31 May 2022 (Revision 3, dated 31 May 2022), which was submitted with a request to vary the EPBC Approval. The revised Biodiversity Offset Strategy was subsequently approved on 30 June 2022 and a further request to amend the Biodiversity Offset Strategy (Revision 4, dated 26 September 2022) was approved by a delegate of the Minister for the Environment on 14 November 2022. This further amendment was made in relation to varying state-based approval conditions for the Action.</p> <p>A further revision to the Offset Strategy (Revision 5, dated 6 May 2024) was submitted for the Department's consideration on 7 May 2024 following the directed variation to the conditions of the EPBC Approval and confirmation of the final biodiversity credit liability as part of the Completed Layout. The revised Offset Strategy remains under consideration by the Department without a determination on the request.</p>
14	The Offset Strategy must be prepared by a suitably qualified expert(s) and must:	Compliant (condition fully satisfied)	In assessing and approving the Rye Park Wind Farm Biodiversity Offset Strategy, the Department had assessed the Plan against the

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
	a. 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: <ol 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 in accordance with clauses 6.2 and 6.6A of the Biodiversity Conservation Regulation 2017 (NSW); and 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 .		requirements of Condition 14 of the EPBC Approval and determined that the Plan sufficiently addresses the relevant obligations. Section 2.0 of the Biodiversity Offset Strategy identifies where each requirement of Condition 14 has been addressed in the Plan. No update for current Reporting Period.
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.	Compliant (condition fully satisfied)	Detailed plans of the Completed Layout were submitted to the Department on 27 October 2023. As outlined above in relation to Condition 3, the Completed Layout and associated analysis identified an overall reduction in impacts from what was presented in the approved Rye Park Wind Farm Offset Strategy. The Department provided confirmation of acceptance of the information provided on 27 August 2024. This correspondence (refer to Attachment 2) validated that there was no increased impact from the Completed Layout prior to the commencement of operation of the Action on 10 October 2024 (refer to Attachment 3).
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.	Compliant (condition fully satisfied)	Notification was provided to the Department on 28 May 2024 of the Approval Holder satisfying the retirement of like-for-like biodiversity credits for the Action on 28 May 2024 (refer to Attachment 4) following the process outlined in the Offset Strategy.
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.	Compliant (condition fully satisfied)	
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 .	Compliant (condition fully satisfied)	The Approval Holder submitted the Rye Park Wind Farm Superb Parrot Research Plan (Revision 3, dated November 2022) (SPPMP) to the Department on 29 September 2022. A delegate of the Minister for the

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
19	The approval holder must not commence commissioning unless the Minister has approved the SPPMP. The approval holder must implement the approved SPPMP.	Compliant (ongoing requirements)	<p>Environment and Water has approved the Plan in accordance with Condition 18 on 1 December 2022.</p> <p>The Approval Holder commenced commissioning of Action on 20 July 2023. Notification of the commencement of commissioning was provided to the Department on 23 July 2023 in accordance with Condition 23(b).</p> <p>The Approval Holder has entered into an agreement with the National Superb Parrot Recovery Team regarding implementation of the Research Plan on behalf of the Approval Holder. Ongoing consultation with this delivery partner has identified the need to vary the approved SPPMP to alter the proposed delivery timeframes and a varied SPPMP (Revision 4, dated 15 October 2024) was submitted to the Department for consideration on 15 October 2024. The revised SPPMP remains under consideration by the Department without a determination on the request.</p>
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.	Compliant (ongoing requirements)	<p>In assessing and approving the Rye Park Wind Farm Superb Parrot Research Plan, the Department had assessed the Research Plan against the requirements of Condition 20 and determined that the Research Plan sufficiently addresses the relevant obligations.</p> <p>The specific requirements relevant to Condition 20 are addressed in Section 3 and 5 of the Research Plan.</p> <p>No update for current Reporting Period.</p>
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: <ol style="list-style-type: none"> specific conservation research and monitoring objectives and proposed activities, additional to any required under the approved BBAMP, to achieve the objectives; proposed timing, effort and expertise required for each activity; nomination of suitably qualified persons or organisations responsible for carrying out the activities; commitments for the provision and timing of funding; and 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. 	Compliant (ongoing requirements)	<p>The Rye Park Wind Farm Superb Parrot Research Plan is consistent with the National Recovery Plan and has been prepared with input from the National Superb Parrot Recovery Team.</p> <p>Section 2 of the Research Plan identifies where each requirement of Condition 21 has been addressed in the Research Plan.</p> <p>No update for current Reporting Period.</p>

Condition Number	Approval Condition	Compliance Status	Evidence / Comments						
22	<p>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.</p> <table border="1"> <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> </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)	Compliant (ongoing requirements)	<p>The funding contributions have been paid in line with the requirements of the condition as follows:</p> <ul style="list-style-type: none"> Year 1 – payment made on 23 March 2023; and Year 2 – payment made on 22 March 2024. <p>The initial payment was made both prior to 30 June 2023 and the commencement of commissioning on 20 July 2023 as required by Condition 22. The subsequent payment within the Reporting Period is compliant with this requirement.</p>
Year 1 (2023)	\$79,800 (GST exclusive)								
Year 2 (2024)	\$79,800 (GST exclusive)								
Year 3 (2025)	\$90,400 (GST exclusive)								
Part B – Standard administrative conditions									
Notification of date of commencement									
23	<p>The approval holder must notify the department in writing of:</p> <ol style="list-style-type: none"> the date of commencement of the action within 10 business days after the date of commencement of the action; the date of commencement of commissioning within 10 business days after the date of commencement of commissioning; the date of commencement of operation within 10 business days after the date of commencement of operation. 	Compliant (ongoing requirements)	<p>Notice was provided to the Department meeting the requirements of this condition as follows:</p> <ul style="list-style-type: none"> Commencement of Action – 16 November 2021; Commencement of Commissioning – 23 July 2023; and Commencement of Operations – 10 October 2024. <p>All above notifications were provided on the day the relevant milestone occurred (being within the 10 business days required by the condition).</p> <p>The notification of the commencement of operations of the Action, which was given to the Department in the current Reporting Period has been provided as Attachment 3.</p>						
24	<p>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>	Compliant (condition fully satisfied)	<p>The Approval Holder has substantially commenced the action that relates to the EPBC Approval.</p> <p>No update for current Reporting Period.</p>						
Compliance records									
25	<p>The approval holder must maintain accurate and complete compliance records.</p>	Compliant (ongoing requirements)	<p>The Approval Holder maintains accurate records substantiating all activities associated with or relevant to the conditions of the EPBC</p>						

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
			Approval, including measures taken to implement the relevant action management plans. No update for current Reporting Period.
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. <i>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.</i>	Not applicable	No written requests have been received by the Department to provide compliance records during the reporting period (outside of non-compliance investigations – refer to Section 4.0). No update for current Reporting Period.
Submission and publication of plans			
27	The approval holder must submit all plans required by these conditions electronically to the department .	Compliant (ongoing requirements)	The Approval Holder has submitted plans to the Department relevant to the EPBC Approval conditions. In accordance with Condition 27 these plans have also been published on the Approval Holder's website (www.ryeparkwf.com.au), including: <ul style="list-style-type: none"> • Biodiversity Management Plan (Condition 5) • Bird and Bat Adaptive Management Plan (Condition 8) • Completed Layout Plans (Condition 15) • Offset Strategy (Condition 13) • Superb Parrot Population Monitoring Program (Condition 18) The plans have been published with their relevant letters of approval from the Department for reference [included within the .pdf file]. No update for current Reporting Period.
27A	The approval holder must keep all plans required by these conditions published on the website until the expiry date of this approval.		
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 .	Compliant (ongoing requirements)	No sensitive ecological data has been noted in the plans prepared and published on the Approval Holder's website for the Action.
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 Guidelines for biological survey and	Compliant (ongoing requirements)	In assessing and approving the relevant plans required by the EPBC Approval, the Department had assessed the plans against the

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
	mapped data, Commonwealth of Australia 2018, or as otherwise specified by the Minister in writing.		requirements of Condition 28 and determined that the plans and data sufficiently addresses the relevant obligations. No update for current Reporting Period.
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 Guide to providing maps and boundary data for EPBC Act projects, Commonwealth of Australia 2021, or as otherwise specified by the Minister in writing.	Compliant (ongoing requirements)	Relevant plans and spatial data relevant to the Project are recorded and presented in accordance with the Approval Holder's internal systems and processes that are consistent with the condition requirements. Submission of monitoring data is noted with respect to compliance with the requirements of the plans.
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.	Compliant (ongoing requirements)	
Annual compliance reporting			
29	<p>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"> publish each compliance report on the website within 20 business days following the relevant 12 month period; 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; keep all compliance reports publicly available on the website until this approval expires; exclude or redact sensitive ecological data from compliance reports published on the website; and 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><i>Note: Compliance reports may be published on the department's website.</i></p>	Compliant (ongoing requirements)	This compliance report has been prepared to satisfy Condition 29. It is relevant to the 3 rd Year and is required to be published on the Approval Holder's website within 20 business days of 16 November 2024. Relevant notifications will be provided to the Department as noted in the condition.
29A	Each compliance report must be consistent with the <i>Annual Compliance Report Guidelines, Commonwealth of Australia 2023</i> .	Compliant (ongoing requirements)	As noted in Section 1.0, the Annual Compliance Report Guidelines have been references and used as a guide in preparing this compliance report.

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
29B	<p>Each compliance report must include:</p> <ul style="list-style-type: none"> a. Accurate and complete details of compliance and any non-compliance with: <ul 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. 	Compliant (ongoing requirements)	<p>This compliance report provides an accurate and complete package of compliance with the EPBC Approval with reference to each specific condition and incidents. A schedule of plans is provided in Section 5.0.</p> <p>The Completed Layout was supplied to the Department in a previous reporting period (27 October 2023) and no further clearing has been undertaken with respect to protected matters and/or their habitat during the Reporting Period. A shapefile of disturbance will not be provided with this compliance report for this reason.</p>
Reporting non-compliance			
30	<p>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> <ul 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><i>Note: In the event the exact information cannot be provided, provide the best information available.</i></p>	Compliant (ongoing requirements)	<p>The Approval Holder has further described non-compliances with the conditions of the EPBC Approval and their notification to the Department in Section 4.0.</p> <p>No additional any incidents or non-compliance with the conditions of the EPBC Approval or the approved action management plans have been noted during the Reporting Period.</p>
31	<p>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> <ul 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. 		
Independent audit			
32	<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>	Not applicable	<p>The Minister is yet to direct the Approval Holder to conduct an independent audit of compliance with the conditions of the EPBC</p>

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
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).		Approval and considering the commencement of the Action occurred on 16 November 2021, the five-yearly audits required by Condition 32A would commence in 2026.
33	For each independent audit , the approval holder must: <ol style="list-style-type: none"> 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; only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department; and submit the audit report to the department for approval within the timeframe specified in the approved audit criteria. 		
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.		
34A	Each audit report must report for the 5-year period preceding that audit report .		
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, Commonwealth of Australia 2019</i> .		
Revision of action management plans			
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.	Compliant (ongoing requirements)	The Approval Holder has in the previous reporting period sought to vary relevant approved action management plans as specified in this compliance report during the reporting period. The approved action management plans continue to be implemented by the Approval Holder and its contractors and been made available on the Approval Holder's website (www.ryeparkwf.com.au).
Completion of the action			
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.	Not applicable	Operation of the Action commenced during this Reporting Period and is likely to have an operational life of 25 – 30 years.

Condition Number	Approval Condition	Compliance Status	Evidence / Comments
36	<p>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.</p>		

4.0 Identified non-compliances and incidents

The Approval Holder notes that a directed variation to the EPBC Approval did occur during the Reporting Period (being issued on 2 May 2024) in relation to non-compliance noted in the previous reporting period, which resulted in the following:

- Variation of Condition 16 of the EPBC Approval to change the timeframe for retirement of the like-for-like biodiversity credits; and
- Variation to other relevant conditions of the EPBC Approval¹ to strengthen the conditions and provide greater clarity of compliance requirements.

The notification of the directed variation also served as a formal warning notice regarding non-compliance with Condition 6 and 31 of the EPBC Approval in relation to the non-compliance in the previous reporting period. This relates specifically to the following matters:

- **Clearing outside the approved Project Area (Condition 6)**

RPRE notes that small areas of clearing outside the approved Project Area occurred, which was identified and validated as part of the post-clearance inspection of the disturbed areas on 10 October 2023. These areas were minor and total approximately 0.41 ha, with the clearing totals for the Development being well below the relevant clearing limits specified in Condition 3 of the EPBC Approval.

- **Biodiversity offsets (Condition 16 and 31)**

Prior to the variation to the EPBC Approval, biodiversity credits for the Action were required to be retired within two (2) years of the Action commencing, being 16 November 2023. The Approval Holder did not comply with this condition, though did seek to provide prior notification to the Department in noting the future non-compliance with this condition prior to the date. The liaison with the Department failed to mitigate the non-compliance in meeting this requirement.

The primary reasons for not meeting this requirement related to both the delays in establishing relevant Biodiversity Stewardship Agreements through the State processes to achieve credit availability for this purpose and delays in being able to confirm the final credit liability for the Action based on delays to the construction schedule and subsequent disturbance validation activities.

As a result of this, the Department sought to vary the date required to satisfy the offset liability as part of the variation to the EPBC Approval.

No non-compliances or incidents have been identified throughout the current Reporting Period.

¹ The directed variation deleted conditions 1,16,17, 27, 28, 29, 30, 31 and 33 attached to the approval and substituted these with conditions 1,16,17, 27, 28, 29, 30, 31 and 33. In addition, the following new conditions were added: 27A, 27B, 28A, 28B, 29A, 29B, 32A, 34A, 34B, and 35A, as well as revising the definition of 'Construction' and 'Like-for-Like biodiversity credits' and add new definitions for 'Audit Report' and 'Harm'.

5.0 Implementation of Plans

A schedule of all plans in existence in relation to the conditions of the EPBC Approval is provided in Table 2. This schedule includes details of how each plan is being implemented across the Reporting Period.

Table 2: Action Management Plans and Strategies

Action management plan / strategy	Requirement	Implementation status
Biodiversity Management Plan	Condition 3	<ul style="list-style-type: none"> Native vegetation disturbance process implemented during clearing and construction activities (now concluded), including micro-siting, dvegetation disturbance permit processes, pre-clearing procedures and tree felling procedures. Reinstatement and rehabilitation of disturbed areas complete with ongoing monitoring until revegetation criteria are met. Initial planning for environmental monitoring of MNES species (to occur once revegetation criteria are met).
Bird and Bat Adaptive Management Plan	Condition 8	<ul style="list-style-type: none"> Operational carcass search program and utilisation survey program commenced following commencement of operations. Further detail on implementation provided in Attachment 1. Review of the plan required by State (in progress) and will seek future variation to the plan to align with any revised State requirements.
Offset Strategy	Condition 13	<ul style="list-style-type: none"> Like-for-like biodiversity credits retired to the satisfaction of the Department in accordance with the conditions of the EPBC Approval. Variation to the Offset Strategy being sought to align with the varied conditions of the EPBC Approval.
Superb Parrot Population Monitoring Program	Condition 18	<ul style="list-style-type: none"> Survey approach for the SPPMP designed and co-developed with National Superb Parrot Recovery Team. Unforeseen delays to recruitment, licensing and poor field conditions associated with La Nina have delayed commencement of works in relation to superb parrot breeding season in 2023. Variation being sought to the monitoring program to align with preferred timing of the National Superb Parrot Recovery Team.

As required by the EPBC Approval, currently approved versions of the action management plans and strategies are published on the Approval Holder's website (www.ryeparkwf.com.au).

6.0 New environmental risks

The Approval Holder and its contractors concluded construction of the Action during the current reporting period and commenced operations. Operation of the Action has resulted in a significant reduction in activities being undertaken on site, with the risks of interaction with Matters of National Environmental Significance more related to potential wind turbine strike or barotrauma from the operational wind turbines. These risks and management measures are adequately addressed through the implementation of the Bird and Bat Management Plan for the Action.

The Approval Holder has actively reviewed compliance and environmental performance of its contractors in implementing the EPBC Approval conditions and requirements of the relevant action management plans.

Through the Reporting Period, the Approval Holder and its contractors consider that the current management measures are effective at minimising risks to the relevant Protected Matters and not noted any additional environmental risks that require consideration and control.



Attachment 1: BBAMP Implementation Summary

Briefing Note

To: James Beckett
E | james.beckett@tiltrenewables.com
From: Sarah Hart (Umwelt)
Date: 15 November 2024
Subject: **Rye Park Wind Farm: Bird and Bat Adaptative Management Plan Summary for EPBC**

Purpose

This briefing note provides Tilt with an evaluation of the effectiveness of measures implemented to avoid and mitigate impacts on EPBC Act-listed bird and bat species within the Rye Park Wind Farm (RPWF) project area. It also reports on triggers for corrective actions, in accordance with condition 29 compliance requirements.

Outcomes/Key messages

For the period between 16 November 2023 and 15 November 2024, there was one trigger event that occurred.

During routine mortality monitoring in February 2024, a white-throated needletail (*Hirundapus caudacutus*) was found alive near Turbine A12. The bird was assessed as healthy, rehabilitated by a WIRES wildlife carer, and successfully released in the Yass area on 28 February 2024. As the bird was deemed healthy and released back into the wild, no additional mitigation measures were necessary during this reporting period.

Recommendations

Umwelt recommends continuing to maintain detailed records of all trigger events, including the species affected, the circumstances, and the outcomes of each intervention, to support transparency and continuous improvement. Continuing with the review process, the Bird and Bat Adaptive Management Plan (BBAMP) is to be reviewed annually to incorporate the latest best practices and technological advancements in bird and bat strike mitigation.



Attachment 2: Completed Layout Confirmation



Australian Government
Department of Agriculture, Water and the Environment

EPBC ref: 2020/8837

Email: epbcmonitoring@dcceew.gov.au

Mr James Beckett
Manager, Environment and Planning
Tilt Renewables Pty Ltd
L24/600 Bourke St
Melbourne Victoria 3000
e: james.beckett@tiltrenewables.com

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

Dear James

Thank you for your submission on 27 October 2023 detailing the Completed Layout of the Rye Park Wind Farm (EPBC 2020/8837). Based on the information provided, the Completed Layout is compliant with the requirements of Condition 15.

As detailed in Attachment 1: Disturbance Analysis of Completed Layout, the total clearance disturbance to protected matters is lower than originally stated in the Final Layout, and there are no remaining impacts to occur from construction. The department is satisfied that there is no increased impact from the Completed Layout.

As the clearance limits have not been exceeded, the project meets the requirements of condition 15 of the approval and the department is satisfied operations can commence. Please note, in accordance with condition 23 you must notify the department within 10 business days of operation commencing.

Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of the approval. Such documents and records may be used in the future to verify compliance with approval conditions. The department has an active compliance monitoring program and expects that all requirements of the approval are adhered to.

Should you have any questions regarding this matter please contact Kimberly Glover on 0457 560 162 or epbcmonitoring@dcceew.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'KG'.

Kimberly Glover
Assistant Director
Approvals Compliance Section

27 August 2024



Attachment 3: Notification of the Commencement of Operations



Rye Park Renewable Energy Pty Ltd
ACN 601 541 931

GPO Box 16080
Collins Street West
Melbourne VIC 8007

10 October 2024

Ms Rachel Short
Branch Head
Environmental Assessments (Vic, Tas) and Post Approval Branch
Department of Climate Change, Energy, the Environment and Water
GPO Box 3090
Canberra ACT 2601

Via email: epbcmonitoring@dcceew.gov.au

Dear Rachel,

RE: RYE PARK WIND FARM – EPBC 2020/8837: NOTIFICATION OF THE COMMENCEMENT OF OPERATION UNDER CONDITION 23(B)

Approval 2020/8837 (**EPBC Approval**) was granted on 1 June 2021 under the *Environment Protection and Biodiversity Act 1999* (Cth) (**EPBC Act**) to Rye Park Renewable Energy Pty Ltd (ACN 601 541 931) (**RPRE**) authorising RPRE “to construct and operate a wind farm with up to 77 wind turbines, and associated infrastructure at Rye Park, New South Wales”, subject to conditions (the **Project**).

RPRE previously advised that the action commenced on the Project, approved pursuant to the EPBC Approval on 16 November 2021 with subsequent notification provided to the Department that the commissioning of the Project commenced on 20 July 2023. RPRE now wishes to advise the Department the operation of the Project commenced on 10 October 2024 in accordance with Condition 23(c) of the EPBC Approval.

We thank the Department for your ongoing assistance provided during the construction and commissioning phases of the Project and note the ongoing compliance obligations of the EPBC Approval in the operational phase of the Project.

If you have any questions or would like to arrange a time to discuss further, please do not hesitate to contact me on my details below.

Kind regards,

A handwritten signature in blue ink that reads "Beckett".

James Beckett
**Manager, Planning and Environment
& authorised representative of Rye
Park Renewable Energy Pty Ltd**

M: 0419 631 905

E: james.beckett@tiltrenewables.com



Attachment 4: Satisfaction of Biodiversity Offset Liability



28 May 2024

Minister for the Environment and Water
Department of Climate Change, Energy, the Environment and Water
GPO Box 3090
Canberra ACT 2601

Via: email to postapproval@dcceew.gov.au

Dear Post Approvals Team,

RE: RYE PARK WIND FARM PROJECT (EPBC2020/8837): CONFIRMATION OF LIKE-FOR-LIKE BIODIVERSITY CREDIT RETIREMENT

Rye Park Renewable Energy Pty Ltd (**RPRE**), a subsidiary of the portfolio of companies trading as Tilt Renewables, is the proponent of the Rye Park Wind Farm Project (the **Project**) which is currently under construction. The Project was granted approval under the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) (EPBC 2020/8837; the **EPBC Approval**) on 1 June 2021, with variations to EPBC 2020/8837 being approved on 30 June 2022 and 2 May 2024.

In accordance with Condition 16 of the EPBC Approval, RPRE must retire the like-for-like biodiversity credits¹, as required by the conditions of the EPBC Approval by 1 October 2024. In accordance with Condition 17 of the EPBC Approval, RPRE wishes to notify the Department that the requirements of Condition 16 have been satisfied on 28 May 2024 in relation to the final biodiversity offset liability for the Project.

On 27 October 2023, RPRE notified the Department of the details of the completed layout of the Project (our ref: RPRE-LET-212), including provision of the final biodiversity credit liability for the Project. This correspondence identified that the final areas of disturbance for the Project did not exceed the disturbance identified in the pre-construction final layout of the Project (Condition 15) following commencement of the Project. The retirement of like-for-like biodiversity credits has been achieved by RPRE in relation to the final credit liability for the Project in relation to the final biodiversity credit liability based on the completed layout.

It is noted that a variation to the EPBC Approval was determined on 2 May 2024, which varied the conditions in relation to the retirement of like-for-like biodiversity credits for the Project (Condition 16). As a result of this variation, on 7 May 2024 RPRE resubmitted the Rye Park Wind Farm Offset Strategy for the approval of the Department (our ref: RPRE-LET-246) to align with both the final biodiversity credit liability of the Project and the revised conditions of the EPBC Approval. The retirement of like-for-like biodiversity credits noted in this correspondence align with both the final credit liability for the Project, calculated in accordance with Section 5.4 of the approved Rye Park Wind Farm Biodiversity Management Plan and the revised Rye Park Wind Farm Offset Strategy (Revision 5, dated 6 May 2024), which is currently being reviewed by the Department.

Evidence of when and how the like-for-like biodiversity credits for the Project are provided in the following section.

Biodiversity credit retirement

The relevant biodiversity credits relevant to the Project's liability have been retired in a combination of both:

- Establishment of a Biodiversity Stewardship Agreement (**BSA**) over land owned by RPRE (BS0155) and subsequent retirement of biodiversity credits generated by the BSA; and

¹ In accordance with the EPBC Approval, 'Like-for-like biodiversity credit/s means like-for-like ecosystem credits and like-for-like species credits as relevant to protected matters'.

- Payment into the New South Wales Biodiversity Conservation Fund (**BCF**) as an alternative to retiring biodiversity credits in accordance with the *Biodiversity Conservation Act 2016 (NSW)*.

The final biodiversity credit liability for the Project, relevant to protected matters, is summarised in Table 1, with the relevant process undertaken to satisfy the credit liability.

Table 1: Summary of like-for-like biodiversity credit retirement – protected matters

PCT / Species Credit Species	Offset Trading Group	EPBC Act (Y/N)	Credits required ²	Process of credit retirement
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (PCT 350)	White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South East Highlands	Y	882	<ul style="list-style-type: none"> • Payment into the BCF (BCF427) – 8 credits retired on 20 September 2022. • 874 credits generated through establishment of BS0155 (CR-33184 and CR-33186) and retired on 28 May 2024 (BCT Reference: RETIRE119).
Golden sun moth habitat (<i>Synemon plana</i>)	N/A	Y	489	<ul style="list-style-type: none"> • Payment into the BCF (BCF686) – 489 credits retired on 4 April 2024.
Striped legless lizard (<i>Delma impar</i>)	N/A	Y	270	<ul style="list-style-type: none"> • Payment into the BCF (BCF460) – 227 credits retired on 31 October 2022. • Payment into the BCF (BCF686) – 43 credits retired on 4 April 2024.
Superb parrot (<i>Polytelis swainsonii</i>)	N/A	Y	502	<ul style="list-style-type: none"> • Payment into the BCF (BCF427) – 9 credits retired on 20 September 2022. • Payment into the BCF (BCF460) – 434 credits retired on 31 October 2022. • Payment into the BCF (BCF704) – 36 credits retired on 30 April 2024. • 23 credits generated through establishment of BS0155 (CR-33191) and retired on 28 May 2024 (BCT Reference: RETIRE119).

Relevant statements confirming payment into the BCF for an offset obligation are provided in Attachment 1 for reference. With respect to the retirement of biodiversity credits in relation to other credit obligations, including from the credits established through the establishment of BS0155, the retirement of biodiversity credits is conclusively presumed if the retirement is recorded in the New South Wales BOS Public Register in accordance with Section 6.30 *Biodiversity Conservation Regulation 2017*. Evidence of the retirement and the BOS Public Register is available here: <https://www2.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/maps-systems-and-resources/biodiversity-offsets-scheme-public-registers>

It is further noted that the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community requires consideration of offsetting hollow bearing trees, with the final biodiversity credit liability for the Project requiring 862 biodiversity credits within this offset trading group supporting hollow bearing trees. RPRE confirms that as part of the credit retirement that CR-33184 is relevant to biodiversity credits that support hollow bearing trees.

² Rye Park Wind Farm – Final Layout Confirmation of Credit Liability Report (Umwelt, October 2023).



Rye Park Renewable Energy Pty Ltd
ACN 601 541 931

GPO Box 16080
Collins Street West
Melbourne VIC 8007

We appreciate that the revised Rye Park Wind Farm Offset Strategy that aligns with the final like-for-like biodiversity credit liability for the Project is currently under consideration by the Department, however RPRE is providing the notification of completing the requirements of Condition 16 in line with Condition 17 of the EPBC Approval.

We thank the Department for your ongoing assistance in relation to fulfilment of the like-for-like biodiversity credit retirement process in relation to the Project. Should you require any further information, please don't hesitate to contact me on the below details.

Yours sincerely,

A handwritten signature in blue ink that reads "Beckett".

James Beckett
Manager, Planning and Environment

P: 0419 631 905

E: james.beckett@tiltrenewables.com



Rye Park Renewable Energy Pty Ltd
ACN 601 541 931

GPO Box 16080
Collins Street West
Melbourne VIC 8007

ATTACHMENT 1: SECTION 6.33 CERTIFICATES CONFIRMING PAYMENT INTO THE BCF



Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by	Rye Park Renewable Energy Pty Ltd ATF The Rye Park Wind Farm Trust				
Date received	16 September 2022				
NSW statutory obligation reference¹	SSD-6693-MOD 1				
Commonwealth EPBC Act controlled action reference (if applicable)²	2020-8837				
BCT Reference	BCF427				
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit (Exc. GST)	Total payment per credit type (Exc. GST)
335 - Tussock grass - sedgeland fen - rushland - reedland wetland in impeded creeks in valleys in the upper slopes sub-region of the NSW South Western Slopes Bioregion	Inland Floodplain Swamps >=70% and <90%	Y	9	\$13,533.90	\$121,805.14
335 - Tussock grass - sedgeland fen - rushland - reedland wetland in impeded creeks in valleys in the upper slopes sub-region of the NSW South Western Slopes Bioregion	Inland Floodplain Swamps >=70% and <90%	Y	2	\$13,533.90	\$27,067.81
350 - Candlebark - Blakely's Red Gum - Long-leaved Box grassy woodland in the Rye Park to Yass region of the NSW South Western Slopes Bioregion and South Eastern Highland Bioregion	White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland in the NSW North Coast, New England Tableland, Nandewar, Brigalow Belt South, Sydney Basin, South Eastern Highland	Y	8	\$8,532.95	\$68,263.63
10645 - <i>Polytelis swainsonii</i> (Superb Parrot)	<i>Polytelis swainsonii</i> (Superb Parrot)	Y	9	\$974.69	\$8,772.18
10604 - <i>Petaurus norfolcensis</i> (Squirrel Glider)	<i>Petaurus norfolcensis</i> (Squirrel Glider)	Y	134	\$677.71	\$90,812.49
Total (Exc. GST)					\$316,721.25
GST					\$31,672.13
Total (Inc. GST)					\$348,393.38

20/09/2022

Emily McCosker
Director Strategy & Finance

¹ This refers to either: a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

² This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.



Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by	Rye Park Renewable Energy Pty Ltd ATF The Rye Park Wind Farm Trust				
Date received	28 October 2022				
NSW statutory obligation reference¹	SSD-6693-MOD 2				
Commonwealth EPBC Act controlled action reference (if applicable)²	2020-8837				
BCT Reference	BCF460				
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit (Exc. GST)	Total payment per credit type (Exc. GST)
289 - Mugga Ironbark - Inland Scribbly Gum - Red Box shrub/grass open forest on hills in the upper slopes subregion of the NSW South Western Slopes Bioregion	Upper Riverina Dry Sclerophyll Forests >=50% and <70%	Y	19	\$3,046.53	\$57,883.98
335 - Tussock grass - sedgeland fen - rushland - reedland wetland in impeded creeks in valleys in the upper slopes sub-region of the NSW South Western Slopes Bioregion	Inland Floodplain Swamps >=70% and <90%	Y	101	\$13,533.90	\$1,366,924.36
10211 - <i>Delma impar</i> (Striped Legless Lizard)	<i>Delma impar</i> (Striped Legless Lizard)	Y	227	\$677.71	\$153,839.07
10645 - <i>Polytelis swainsonii</i> (Superb Parrot)	<i>Polytelis swainsonii</i> (Superb Parrot)	Y	434	\$974.69	\$423,014.17
Total (Exc. GST)					\$2,001,661.58
GST					\$200,166.16
Total (Inc. GST)					\$2,201,827.74

31/10/2022

Emily McCosker
Director Strategy & Finance

¹ This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

² This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.

Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by		Rye Park Renewable Energy Pty Ltd			
Date received		28 March 2024			
NSW statutory obligation reference¹		SSD-6693-MOD 2			
Commonwealth EPBC Act controlled action reference (if applicable)²		EPBC 2020/8837			
BCT Reference		BCF686			
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit (Exc. GST)	Total payment per credit type (Exc. GST)
10211 - <i>Delma impar</i> (Striped Legless Lizard)	<i>Delma impar</i> (Striped Legless Lizard)	Y	43	\$5,373.00	\$231,039.00
10791 - <i>Synemon plana</i> (Golden Sun Moth)	<i>Synemon plana</i> (Golden Sun Moth)	Y	322	\$2,699.90	\$869,367.80
10791 - <i>Synemon plana</i> (Golden Sun Moth)	<i>Synemon plana</i> (Golden Sun Moth)	Y	167	\$2,699.90	\$450,883.30
Total (Exc. GST)					\$1,551,290.10
GST					\$155,129.01
Total (Inc. GST)					\$1,706,419.11



Emily McCosker 04/04/2024

Director Strategy & Finance

¹ This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

² This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.



Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation

Pursuant to section 6.33 of the *Biodiversity Conservation Act 2016*, the NSW Biodiversity Conservation Trust confirms that the following payments have been made into the Biodiversity Conservation Fund under section 6.30(1) of the Act to satisfy an obligation to retire biodiversity credits.

Payment made by	Rye Park Renewable Energy Pty Ltd				
Date received	19 April 2024				
NSW statutory obligation reference¹	SSD-6693-MOD-2				
Commonwealth EPBC Act controlled action reference (if applicable)²	EPBC 2020/8837				
BCT Reference	BCF704				
Biodiversity credit retirement obligations satisfied by payment to the Biodiversity Conservation Fund:					
Biodiversity credit type (Credit ID and name)	Offset trading group	EPBC Act Controlled Action offset obligation (Y / N)	Number of credits	Cost per credit (Exc. GST)	Total payment per credit type (Exc. GST)
10645 - <i>Polytelis swainsonii</i> (Superb Parrot)	<i>Polytelis swainsonii</i> (Superb Parrot)	Y	36	\$4,061.42	\$146,211.12
Total (Exc. GST)					\$146,211.12
GST					\$14,621.11
Total (Inc. GST)					\$160,832.23

Emily McCosker

Director Strategy & Finance

30/04/2024

¹ This refers to either; a development application number for a development consent under Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, a State significant infrastructure approval under the previous Part 5.1 (now Part 5, Division 5.2) of the EP&A Act, a decision of a determining authority to carry out or approve the carrying out of an activity under Part 5 of the EP&A Act, or a biobank statement number or biodiversity certification number.

² This refers to a controlled action under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* for which a biodiversity offset obligation has been met through payment into the BCF.