



## Compliance Report

Crudine Ridge Wind Farm, NSW

EPBC 2011/6206

25<sup>th</sup> May 2018 to 24<sup>th</sup> May 2019

Prepared by: Patric Millar CWP Renewables

Date: 20 January 2020

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Revision Control					
Revision	Date	Change Description	Author	Review	Approved
A		Draft	Patric Millar		
1		For Issue	Patric Millar		

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This document has been approved on behalf of CRWF Nominees Pty Ltd (Crudine Ridge Wind Farm) by:



Brendan McAvoy

Head of Construction CWP Renewables

20 January 2020

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## Contents

Declaration of accuracy .....	6
Project Description.....	7
Compliance Table.....	9

## 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



Full name (please print): Brendan McAvoy

Position (please print): Head of Construction

Organisation (please print including ABN/ACN if applicable): CWP Renewables 57 127 205 645

Date 20/01/2020

## Project Description

The Crudine Ridge Wind Farm is situated approximately 45 km south east of Mudgee and 45 kilometres north of Bathurst in the Central Tablelands of NSW. The wind farm site covers approximately 1,664 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (820 m to 1,000 m above sea level, Australian Height Datum (AHD)). The nearest township is Mudgee, which is located approximately 45 km to the north along the Castlereagh Highway.

Development Consent was granted by the NSW Planning Access Commission (SSD 6697) on 10/05/2016. This was later modified by the Independent Planning Commission when it approved SSD 6697-MOD1 on 21/06/2019.

The Minister for Environment and Energy granted approval on 04/04/2017 with conditions covered by EPBC 2001/6206.

The project involves construction, operation and decommissioning of the wind farm. Construction on the site commenced on 25<sup>th</sup> May 2018 and works were suspended on 5<sup>th</sup> December 2018. Typically, during the construction phase, a range of construction activities are undertaken across wide geographical area.

Key stages of development during the 1<sup>st</sup> year reporting period are shown in Table 1 Works Progress. The reporting period is from 25<sup>th</sup> May 2018 – 25<sup>th</sup> May 2019.

Table 1 Works Progress

Construction Activity	Reporting period progress
Installation of meteorological monitoring masts	Completed August 2018
Upgrade of Aarons Pass Road and Bombandi Road prior to commencement of construction;	Commenced August 2018 Works Put on hold 2018
Site establishment including access provisions, fencing, installation of environmental controls, installation of site offices, laydown areas, a concrete batch plant and potential rock crushing facilities;	Commenced August 2018 Suspended December 2018
Construction of site access tracks to enable works to progress across the site;	Commenced August 2018 Suspended December 2018
Turbine site preparation for 37 wind turbine sites;	Commenced August 2018 Suspended December 2018
Substation site preparation;	Commenced September 2018 Suspended December 2018
Formation of concrete footings for turbines and the substation;	Not Commenced
Installation of 33 kV underground cables and communication cables within each of the wind turbine clusters;	Not Commenced
Installation of 33 kV overhead transmission lines and communication cables between the wind turbine clusters and the main collector substation;	Not Commenced
identification and upgrade of transport routes to facilitate haulage of over-size and over-mass wind turbine and substation components;	Not Commenced
Transportation of turbine and substation components from point of origin to the site storage and laydown areas;	Not Commenced

Transport of turbine components to turbine sites and substation items to the substation site;	Not Commenced
Erection of turbine structures;	Not Commenced
Installation of up to six permanent wind monitoring masts;	Not Commenced
Construction of a 132 kV substation and switchyard with associated structures and buildings;	Not Commenced
Connection to the existing TransGrid 132 kV transmission line with a new 132 kV line turn in of approximately 16 km with an associated 60 m wide easement;	Not Commenced
Installation of appropriate wind farm signage both during the construction and operational phases of the proposed development;	Not Commenced
Substation and wind turbine commissioning trials; and	Not Commenced
Site restoration, revegetation of disturbed areas and completion of drainage works.	Not Commenced

## Compliance Table

Number	Condition	Stage	Complies	Status / Comment
1	To minimise the impacts of the action on <b>protected matters</b> , the approval holder must:			
a	Implement administrative conditions 1,4, 6, 7, 8; environmental conditions 19 (b)(c) - 24, 41, 42 of the approval under the NSW Environment Planning and Assessment Act 1979, as per Development Consent SSD-6697 dated 10 May 2016, where they relate to monitoring, managing, mitigating, avoiding, offsetting, recording, or reporting on, impacts to <b>protected matters</b> .	All	Yes	Management of <b>protected matters</b> are contained within the approved Biodiversity Management Plan and Environmental Management Strategy.
b	Notify the <b>Department</b> in writing of any proposed change to the conditions of the NSW Government approval for which Condition 1 a applies, no later than 2 weeks after formally proposing a change or becoming aware of the NSW Government proposing a change.	All	Yes	The Development was Modified on 21/06/2019 which is outside the reporting period.  In preparing the Modification a copy of the Biodiversity Development Assessment Report (BDAR) Assessment was provided to the <b>Department</b> on 03/12/2018 for comment. This report identified all the vegetation that was present within the proposed Modification and how its clearance may impact on <b>protected matters</b> . The BDAR concluded that the proposed Modification did not have any impact on <b>protected matters</b> .

				<p>Formal Notification was provided to the <b>Department</b> on 18/01/2019 that a Modification of the SSD 6697 was proposed and did not impact on and <b>protected matters</b>.</p> <p>Correspondence from <b>Department</b> dated 02/04/2019 stated: “a new referral or the variation to conditions of an existing approval is not required for actions unlikely to have a significant impact on matters of national environmental significance.”</p>
c	Notify the <b>Department</b> in writing of any change to the NSW Government approval for which Condition 1a applies within 2 weeks of a change being finalised.	All	Yes	<p>The Development was Modified on 21/06/2019 which is outside the reporting period.</p> <p>As the Modification did not impact on <b>protected matters</b> no notification was given to the <b>Department</b>.</p>
2	If the approval holder does not secure the <b>offset site</b> through a <b>NSW BioBanking Agreement</b> , then the approval holder must protect the offset site under a legal instrument, approved by the <b>Minster</b> within 12 months of the commencement of construction. The legal instrument must:	Construction	Yes	<p>Biobank property known as “Glen Maye” located on Lots 1 and 2 in DP 1209812 Is owned by CRWF Nominees Pty Ltd.</p> <p>From the granting of Development Consent to the commencement of construction the NSW legislation changed the requirement from Biobanking Agreements to Biodiversity Stewardship Agreement.</p>

				<p>The ecological assessment for the Stewardship Agreement of the property known as “Glen Maye” located on Lots 1 and 2 in DP 1209812 was undertaken in February and March 2019. It was not lodged pending the outcome of Modification 1 to NSW SSD 6697.</p> <p>The Modification was granted on 21/06/2019 which extended the time period required to secure the Stewardship Agreement to 2 years from the commencement of construction.</p> <p>Work on formally securing the Stewardship Agreement recommenced following the granting of Modification.</p>
a	be registered on title of the offset site once approved, and	Construction	Non-compliant	<p>The change in NSW legislation from Biobanking Agreements to Biodiversity Stewardship Agreement has delayed the registering of such an Agreement on title.</p> <p>CWP as <b>the person taking the action</b> applied to the NSW Department of Planning and Environment to modify the development.</p> <p>The outcome of the Modification may have impacted on the proposed Biobanking block known as “Glen</p>

				<p>Maye" located on Lots 1 and 2 in DP 1209812. As such the registration of the Stewardship Agreement was delayed until the Modification was determined.</p> <p>The Modification was granted on 21/06/2019. Work on formally securing the Stewardship Agreement recommenced following the granting of Modification</p>
b	provide for the protection and ongoing conservation management of the <b>offset site</b> in perpetuity.	Ongoing	Non-compliant	Although a Stewardship Agreement has not been registered the property known as "Glen Maye" located on Lots 1 and 2 in DP 1209812 has been actively managed for conservation outcomes. This includes removal of all domestic livestock, feral animal control, track maintenance, wild dog baiting and strategic fence renewal.
3	The person taking the action must not clear more than 3.28 hectares of <i>White Box Yellow Box Blakely's Red Gum Grassy Woodland</i> and <i>Derived Native Grassland</i> ecological community, for the development of the proposed action, as defined in Schedule 1 of this approval.	Construction	Complaint	<p>CWP as <b>the person taking the action</b> substantially <b>commenced the action</b>, on 25/05/2018 with pre-construction minor works as defined in NSW SSD 6697.</p> <p>Construction works as defined in NSW SSD 6697 commenced on 01/08/2018. Construction works as defined in NSW SSD 6697 were suspended on site on 05/12/2018.</p>

				No areas of <i>White Box Yellow Box Blakely's Red Gum Grassy Woodland</i> and <i>Derived Native Grassland</i> ecological community were impacted on during the reporting period.
4	<b>The person taking the action</b> must not clear known locations of Small Purple Pea ( <i>Swainsona recta</i> ) within the project area (identified within the <b>Environmental Assessment</b> ). The person taking the action must not clear any additional populations of Small Purple Pea (not identified within the Environmental Assessment), without the approval of the <b>Minister</b> .	Construction	Complaint	All known locations of Small Purple Pea ( <i>Swainsona recta</i> ) within the project area (identified within the <b>Environmental Assessment</b> ) have been marked in the field and have not been cleared.  No works have commenced within known locations of Small Purple Pea ( <i>Swainsona recta</i> ).
5	<b>The person taking the action</b> must only construct, operate, and replace or upgrade, as necessary, up to 37 wind turbines.	Preconstruction	Compliant	Only 37 turbines will be constructed.
6	<b>The person taking the action</b> must not construct or place any <b>wind turbines</b> at locations A53,A54,A55,A56,A57,A58,A61,A66,A67,A68,A69,A71, A73,A78,A79,A80,A81, A82, A83, A84 as indicated on Schedule 2 of this approval.	Preconstruction	Complaint	These sites have been removed from the approved site layout.
7	<b>The person taking the action</b> must not construct any additional turbines at a future time in the project site area indicated on Schedule 2 of this approval, except for those referred to in condition 5.	All	Complaint	No additional turbines will be constructed
8	Within 30 days after the <b>commencement of the action, the person taking the action</b> must advise the <b>Department</b> in writing of the actual date of <b>commencement of the action</b> .	Preconstruction	Compliant	Advice that the <b>commencement of the action</b> had occurred was given to the <b>Minister</b> on 04/06/2018.

9	<p><b>The person taking the action</b> must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the <b>management plans</b>, reports, strategies, agreements required by this approval, and make them available upon request to the <b>Department</b>. Such records may be subject to audit by the <b>Department</b> or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the <b>Department's</b> website. The results of audits may also be publicised through the general media.</p>	Ongoing	Complaint	<p>Ongoing record keeping of activities and how such activities impact on <b>protected matters</b>.</p>
10	<p>Within three months of every 12 month anniversary of the <b>commencement of the action</b>, <b>the person taking the action</b> must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any <b>management plans</b> as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.</p>	All	Not - compliant	<p>CWP as <b>the person taking the action</b> notified the Department substantially <b>commenced the action</b>, on 25/05/2018.</p> <p>Construction works on site were suspended on site on 05/12/2018 thereby suspending <b>the action</b>.</p> <p>During this period there were changes to key staff and the annual report for EPBC 2011/6206 was not prepared on time.</p> <p>This report details the activities undertaken by CWP as <b>the person taking the action</b>, pursuant to the period 25/05/2018 to 24/05/2019.</p>

11	Any potential or actual contravention of the conditions of this approval (including contravention of a commitment made in a management plan, program or strategy) must be reported to the <b>Department</b> within 7 days of the approval holder becoming aware of the actual or potential contravention.	Ongoing	Non – Complaint	<p>CWP as <b>the person taking the action</b> substantially <b>commenced the action</b>, on 25/05/2018</p> <p>Construction works on site were suspended on site on 05/12/2018 thereby suspending <b>the action</b>.</p> <p>During this period there were changes to key staff and the annual report for EPBC 2011/6206 was not prepared on time.</p> <p>CWP was notified by <b>the Department</b> on 08/01/20120 that as <b>the person taking the action</b>, pursuant to the period 25/05/2018 to 24/05/2019 did not provide an Annual Report pursuant to Condition 10 of EPBC 2011/6206 and did not notify the <b>Department</b> of the potential contravention of the Conditions pursuant to Condition11 of EPBC 2011/6206.</p> <p>CWP as <b>the person taking the action</b>, formally notified <b>the Department</b> on 20/01/2020 that it was non – complaint with Condition 11.</p>
12	Upon the direction of the <b>Minister, the person taking the action</b> must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the <b>Minister</b> . The independent auditor must be approved by the	Ongoing	Not triggered	Noted

	<p><b>Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by the <b>Minister</b> and the audit report must address the criteria to the satisfaction of the <b>Minister</b>.</p>			
13	<p>If, at any time after 5 years from the date of this approval, <b>the person taking the action</b> has not substantially <b>commenced the action</b>, then <b>the person taking the action</b> must not substantially <b>commence the action</b> without the written agreement of the <b>Minister</b>.</p>	Pre-Construction	Compliant	<p>CWP as <b>the person taking the action</b> substantially <b>commenced the action</b>, on 25/05/2018 with pre-construction works.</p>

