



COMPLIANCE REPORT

EPBC 2011/6228

Mount Emerald Wind Farm

June 2024



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DOCUMENT STATUS

Version	Purpose of Document	Author	Review	Approval	Date
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1. DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the Environmental 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):

James Lee

Position (please print):

Executive General Manager

Organisation (please print including ABN/ACN if applicable):

Mount Emerald Wind Farm Pty Ltd

ACN – 149 050 322

ABN – 19 149 050 322

Date:

11 June 2024

2. PROJECT DESCRIPTION

The Mount Emerald wind farm site is a large rural allotment (Lot 7 SP235224) comprising some 2,422ha. It is located approximately 3.5km south-west of Walkamin, off Springmount Road at Arriga on the Atherton Tablelands. Topographically, the site is situated at the northern most end of the Herberton Range (part of the Great Dividing Range) with the north-western section of the site being dominated by Walsh's Bluff.

The site is characterised by rugged terrain with elevations of between 540m up to 1089m ASL (above sea level). The town centre of Mareeba is situated approximately 18km to the north of the site, with the town of Atherton approximately 12km south-east of the site.

Other features of the site include a series of ephemeral drainage lines, including the headwaters of Granite Creek. An established 275kV transmission line (Powerlink: Chalumbin-Woree) and its associated easement traverses the site in an east-west direction, broadly bisecting it.

3. PROJECT ACTIVITY STATUS

The project commenced construction on the 7th February 2017.

On the 22nd February 2019, a notice of Commencement of Operation was issued under the terms of the construction contract, as such the wind farm is now considered to be currently in the "Operation" phase.

During this reporting period activities relating to conditions 7, 10, 16, 21 and 26 have occurred and are documented in this report.

4. COMPLIANCE TABLE

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
General				
1	The action is limited to the construction of a maximum of 63 wind turbines and associated infrastructure on the wind farm site	Max. 63 WTG	COMPLIANT	Compliance detailed in Year 2 Compliance Report (Attachment A). <u>No further action in this reporting period.</u>
2	To minimise impacts to EPBC Act listed threatened species, the approval holder must not disturb more than 78 ha of habitat for EPBC Act listed threatened species on the wind farm site	Max. 78ha of disturbed area	COMPLIANT	Compliance detailed in Year 2 Compliance Report (Attachment B). <u>No further action in this reporting period.</u>
3	Prior to commencement of the action, the approval holder must submit a Turbine Location and Development Footprint Plan identifying the final position of all proposed turbines, access roads and associated operational and maintenance infrastructure, for the written approval of the Minister	Turbine Location and Development Footprint Plan (TLDFP)	COMPLIANT	Approval received 18/1/17. (Previously supplied in 2018 Year 1 Compliance Report) TLDFP sent to DOEE 13/01/2017 TLDFP (Previously supplied in 2019 Year 2 Compliance Report) <u>No further action in this reporting period.</u>
4	The Turbine Location and Development Footprint Plan must demonstrate how the approval holder has avoided and minimised disturbance to denning habitat for the Northern Quoll (<i>Dasyurus hallucatus</i>) and to <i>Grevillea glossadenia</i> and <i>Homoranthus porteri</i> .	Turbine Location and Development Footprint Plan (TLDFP)	COMPLIANT	Approval received 18/1/2017 (Previously supplied in 2018 Year 1 Compliance Report) Documents sent to DOEE 13/01/2017 TLDFP shows locations of plant species (Previously supplied in 2019 Year 2 Compliance Report) Refer to Design Justification Report (Previously supplied in 2018 Year 1 Compliance Report) <u>No further action in this reporting period.</u>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
5	The approval holder must not commence the action until the Turbine Location and Development Footprint Plan has been approved by the Minister in writing.	Minister Sign-off	COMPLIANT	Approval of TLDFP received 18/1/2017. (Previously supplied in 2018 Year 1 Compliance Report) Date of Commencement 7/2/2017. <u>No further action in this reporting period.</u>
6	The Turbine Location and Development Footprint Plan must be implemented	Turbine Location and Development Footprint Plan (TLDFP)	COMPLIANT	Construction completed in compliance with TLDFP. Compliance detailed in Year 2 Compliance Report (Attachment A). <u>No further action in this reporting period.</u>
<u>Northern Quoll Management</u>				
7	For the protection of the Northern Quoll, the approval holder must maintain a viable population of Northern Quoll on the wind farm site.	Northern Quoll population ~50	ONGOING	Compliance reporting from the current period is included in Attachment D of this report. In summary, the results in this study suggest that the observed patterns in quoll numbers and occupancy at Mount Emerald Wind Farm (MEWF) are consistent across all sites, indicating that the wind farm has had no discernible impact on the local quoll population. As stipulated by the Quoll Outcome Strategy, further monitoring is scheduled for 2028.
8	The approval holder must prepare and submit an Outcomes Strategy for the Minister's written approval which describes a monitoring program to inform adaptive management and determine whether the outcome required under condition 7 is being or has been met. The Outcomes Strategy must: (a) be prepared by a suitably qualified expert;	Northern Quoll Outcomes Strategy (NQOS)	COMPLIANT	Approval received 23/12/16. (Previously supplied in 2018 Year 1 Compliance Report) NQOS submitted 7/12/2016. (Previously supplied in 2018 Year 1 Compliance Report)

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
	<p>(b) identify and justify performance measures, which are capable of accurate and reliable measurement, and will be used to measure the outcome required under condition 7;</p> <p>(c) include a monitoring program, to detect changes in the performance measures. The monitoring must include baseline surveys, control sites and experimental design (to test the effectiveness of different management measures); and</p> <p>(d) describe how the baseline and monitoring data will be adequate to: inform adaptive management; enable an objective decision to be made on whether the outcome described in condition 7 has been met.</p>			
9	The approval holder must not commence construction until the Minister has approved the Outcomes Strategy in writing.	Minister Sign-off	COMPLIANT	<p>Approval received 23/12/2016 (Previously supplied in 2018 Year 1 Compliance Report)</p> <p><u>No further action in this reporting period.</u></p>
10	The approved Outcomes Strategy must be implemented.	Quoll Monitoring Report	COMPLIANT	<p>All Survey Results have been posted to Project WEBSITE.</p> <p>https://ratchaustralia.com/mtemerald/compliance/</p> <p>Refer to “Norther Quoll Monitoring Report - Mt Emerald Wind Farm (2023)” - Attachment D to this report.</p>
11	If the Minister is not satisfied that either the outcomes required under condition 7 are likely to be achieved, or there is insufficient evidence that the outcomes required under condition 7 are being achieved, the Minister may (in writing) require the approval holder to submit a plan for the Minister's approval to reduce, mitigate, remediate, or offset impacts to matters protected under the controlling provisions of this approval within a designated timeframe. The Minister may require the plan be prepared or reviewed by a suitably qualified person or another person specified	Northern Quoll Mitigation Plan	NOT APPLICABLE	Not required at this time.

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
	or agreed to by the Minister. If the Minister approves the plan then the approved plan must be implemented.			
Bare-rumped Sheathtail Bat and Spectacled Flying-fox Management				
12	Prior to commissioning, the approval holder must evaluate the effectiveness of suitable measures, including changed cut-in speed, avian radar system and SCADA system, to avoid and mitigate the impacts of turbine collision to Spectacled Flying-fox (<i>Pteropus conspicillatus</i>) and Bare-rumped Sheathtail Bat (<i>Saccolaimus saccolaimus nudicluniatus</i>) on the wind farm site.	Evaluation of Potential Measures to Reduce Turbine Collision	COMPLIANT	Email from DoEE confirming requirements met - 2/6/2017 (Previously supplied in 2018 Year 1 Compliance Report) Report provided to DoEE 5/5/2017. (Previously supplied in 2018 Year 1 Compliance Report) <u>No further action in this reporting period.</u>
13	Prior to commissioning, the approval holder must submit to the Minister for written approval, a Wind Farm Implementation Plan that is informed by the results of the evaluation required by condition 12. The Wind Farm Implementation Plan must include: (a) details of intended outcomes and measurable performance criteria for the Spectacled Flying-fox and Bare-rumped Sheathtail Bat which are based on information contained in relevant guidance material including; - <i>Matters of National Environmental Significance: Significant Impact Guidelines 1.1 Environmental Protection and Biodiversity Conservation Act 1999 (2013)</i> ; - <i>EPBC Act Policy Statement 2.3 Wind Farm Industry (2009)</i> ; and - <i>Draft Referral Guideline for 14 birds listed as migratory species under the EPBC Act (2015)</i> .	Wind Farm Implementation Plan (WFIP)	COMPLIANT	WFIP approved 4/05/2018 (Previously supplied in 2019 Year 2 Compliance Report) Final WFIP submitted to DoEE 24/4/2018. (Previously supplied in 2019 Year 2 Compliance Report) <u>No further action in this reporting period.</u>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
	<p>(aa) a program to implement a <i>Low Windspeed Curtailment Study</i>;</p> <p>(b) a program to monitor the effectiveness of progress against performance criteria; and</p> <p>(c) contingency measures and corrective actions that will be implemented if performance criteria are not being or are not likely to be met.</p>			
14	<p>The Wind Farm Implementation Plan must be reviewed by a suitably qualified expert prior to submission to the Minister for approval. The Wind Farm Implementation Plan must include the findings of the review undertaken by the suitably qualified expert and details of how any recommendations made by the suitably qualified expert have been addressed.</p>	<p>Wind Farm Implementation Plan Review (WFIP)</p>	<p>COMPLIANT</p>	<p>WFIP approved 4/5/2018 (Previously supplied in 2019 Year 2 Compliance Report)</p> <p><u>No further action in this reporting period.</u></p>
15	<p>The approval holder must not commission the wind farm until the Wind Farm Implementation Plan has been approved by the Minister in writing.</p>	<p>Minister Sign-off</p>	<p>COMPLIANT</p>	<p>WFIP approved 4/5/2018 (Previously supplied in 2019 Year 2 Compliance Report)</p> <p><u>No further action in this reporting period.</u></p>
16	<p>The approved Wind Farm Implementation Plan must be implemented.</p>		<p>IN PROGRESS / ONGOING</p>	<p>Year 1 of Low Windspeed Curtailment Study (previously supplied in Year 4 Compliance Report – Attachment A)</p> <p>Year 2 of Low Windspeed Curtailment Study (previously supplied in Year 5 Compliance Report – Attachment B)</p> <p>Year 3 of Low Windspeed Curtailment Study completed in accordance with approved methodology from DAWE on 15 July 2022.</p> <p>Continued engagement of Environmental consultant to undertake the activities as per WFIP.</p> <p>Approval received July 2022 that during the 12-month period (2022-2023) half of the turbines (randomly selected) should</p>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
				<p>operate with no windspeed curtailment while the other half remain curtailed at 3 m/s followed by reporting of results and analyses of total mortalities and of the further curtailment exercise should be undertaken at the conclusion of the further 12 month period.</p> <p>Refer to attachment B – Letter re: “Mortality and Curtailment Synopsis for 2022-2023” and attachment C – “Mt Emerald Wind Farm Curtailment Analysis - Phase 3.”</p> <p>Further correspondence in April 2024, the department acknowledges the analysis of monitoring and the recommendations in the Biosis advice and advised that if you propose to reduce or remove the curtailment requirements that the Implementation Plan be revised for approval by the Minister.</p> <p>We will undertake a review and submit a revised WFIP to the Minister for approval late 2024 detailing proposed curtailment requirements and performance thresholds. (Refer also Condition 29a)</p> <p>In the meantime, carcass searches and windspeed curtailment will recommence from June 2024 until a the revised WFIP is approved.</p>
17	Upon the direction of the Minister, the approval holder must cease to operate any specified wind turbine generator/s if the Minister considers that, based on compliance reporting required by condition 26, they are having an impact on Bare-rumped Sheathtail Bat and Spectacled Flying-fox greater than the performance criteria required by condition 13(a) that cannot be mitigated or compensated.	Operational Strategy		Not required at this time.

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
<u>Offsets</u>				
18	To compensate for residual significant impacts to EPBC Act listed threatened species, the approval holder must provide environmental offsets that comply with the principles of the EPBC Act Environmental Offsets Policy.	Offset Area Management Plan (OAMP)	COMPLIANT	Approval of OAMP provided 20/12/2016 (Previously supplied in 2018 Year 1 Compliance Report) Response and final OAMP submitted 16/12/2016. (Previously supplied in 2018 Year 1 Compliance Report) <u>No further action in this reporting period.</u>
19	The approval holder must prepare and submit an Offset Management Plan to the Minister for approval in writing. The Offset Management Plan must include: (a) details of the minimum offset areas proposed to compensate for the loss of habitat for EPBC Act listed threatened species from the wind farm site, (b) information about how the offset area/s provide connectivity with other relevant habitats and biodiversity corridors, including a map depicting the offset areas in relation to other habitats and biodiversity corridors; (c) a description of the management measures that will be implemented on the offset site for the protection and management of habitat for EPBC Act listed threatened species, including a discussion of how measures proposed are consistent with the measures in conservation advice, recovery plans and relevant threat abatement plans; (d) performance and completion criteria for evaluating the management of the offset area/s, and criteria for triggering remedial action (if necessary); (e) a program, including timelines to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria;	Offset Area Management Plan (OAMP)	COMPLIANT	Approval of OAMP provided 20/12/2016 (Previously supplied in 2018 Year 1 Compliance Report) Response and final OAMP submitted 16/12/2016. (Previously supplied in 2018 Year 1 Compliance Report) <u>No further action in this reporting period.</u>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
	<p>(f) a description of potential risks to the successful implementation of the plan, and a description of the contingency measures that would be implemented to mitigate against these risks;</p> <p>(g) the proposed legal mechanism and timelines for securing the offset/s; and</p> <p>(h) a textual description and map to clearly define the location and boundaries of the offset area. This must be accompanied with the offset attributes and a shapefile.</p>			
20	The approval holder must not commence construction until the Offset Management Plan has been approved by the Minister in writing.	Minister Sign-off	COMPLIANT	<p>Approval of OAMP provided 20/12/2016 (Previously supplied in 2018 Year 1 Compliance Report)</p> <p><u>No further action in this reporting period.</u></p>
21	The approved Offset Management Plan must be implemented	Monitoring Report	COMPLIANT	<p>2017 Monitoring Report submitted 17/04/2018</p> <p>2018 Monitoring Report submitted 6/12/2018</p> <p>2019 Monitoring Report submitted 17/7/2019</p> <p>2020 BioCondition Survey submitted 4/12/2020</p> <p>2021 Monitoring Report submitted 28/09/2021.</p> <p>2022 BioCondition Survey submitted 29/6/22.</p> <p>2023 Biocondition Survey submitted 27/06/22</p> <p>2024 Biocondition Survey Results submitted as part of this report (see attachment A)</p>
Administrative Conditions				

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
22	<p>To avoid duplication, the approval holder may provide the Minister with plans and strategies prepared for the State and/or an Authority provided the plans, and/or strategies meets the conditions specified in this approval. The plans and/or strategies must include a cross reference table that clearly identifies:</p> <p>(a) the condition specified in the approval for which the plan or strategy is being provided; and</p> <p>(b) the relevant folder, chapter, section number and page number in the plan or strategy where the condition has been addressed.</p>		NOT APPLICABLE	<p>Plans and Strategies have been provided to directly address conditions of this approval.</p> <p><u>No further action in this reporting period.</u></p>
23	<p>Within 10 business days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.</p>	Notification of Commencement of Construction	COMPLIANT	<p>Date of Commencement 7 February 2017.</p> <p>Notice provided 13/2/2017 (Previously supplied in 2018 Year 1 Compliance Report) and acknowledged. (Previously supplied in 2018 Year 1 Compliance Report)</p> <p><u>No further action in this reporting period.</u></p>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
24	<p>The approval holder must maintain a dedicated webpage on compliance with these conditions that is publically available on the approval holder's website for the life of the approval. The webpage must include:</p> <ul style="list-style-type: none"> • a copy of the approval conditions (and any subsequent variations or other formal changes to the approval); • all monitoring results and • documentation required under these conditions and any other relevant information as directed by the Minister in writing. <p>Unless otherwise agreed to in writing by the Minister, the approval holder must provide a copy of documents required to be published on the dedicated webpage to members of the public upon request, within a reasonable time of the request.</p>	Website	COMPLIANT	<p>EPBC Decision Notice and Conditions placed on website. https://ratchaustralia.com/mtemerald/compliance/ <i>Note: website address updated.</i> <u>No further action in this reporting period.</u></p>
25	<p>The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any plans and strategies required by this approval and measures taken to achieve the outcomes specified in conditions 7 and 13 and make them available upon request to the Department.</p> <p>Such records may be subject to audit by the Department 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 Department's website. The results of audits may also be publicised through the general media.</p>	File management		

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
26	<p>Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on the webpage required in condition 24 addressing compliance with each of the conditions of this approval, including implementation of any plans and strategies as specified in these conditions and whether the outcome required by conditions 7 and 13 have been or are track to being met. The compliance report must consider the Department's Annual Compliance Report Guidelines.</p> <p>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>	EIS Compliance Report	COMPLIANT	<p>Date of Commencement 7 February 2017.</p> <p>2018 Year 1 Compliance Report – issued.</p> <p>2019 Year 2 Compliance Report – issued.</p> <p>2020 Year 3 Compliance Report – issued.</p> <p>2021 Year 4 Compliance report – issued.</p> <p>2022 Year 5 Compliance report – issued.</p> <p>2023 Year 6 Compliance report – issued.</p> <p>2024 Year 7 Compliance report (this report)</p>
27	The approval holder must report any contravention of the conditions of this approval to the Department within 2 business days of the approval holder becoming aware of the contravention.	Notification of Contravention	COMPLIANT	No contravention identified.
28	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The audit must not commence until the Minister has approved the independent auditor and audit criteria. The audit report must address the criteria to the satisfaction of the Minister.	Independent Audit	NOT APPLICABLE	No direction from Minister at this time.

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
29	<p>The approval holder may choose to revise a plan or strategy approved by the Minister under conditions 3, 8, 13 and 19 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan or strategy would not be likely to have a new or increased impact. If the approval holder makes this choice they must:</p> <p>(a) notify the Department in writing that the approved plan or strategy has been revised and provide the Department with an electronic copy of the revised plan or strategy;</p> <p>(b) implement the revised plan or strategy from the date that the plan or strategy is submitted to the Department; and</p> <p>(c) for the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised plan or strategy would not be likely to have a new or increased impact.</p>	<p>Revised Plans:</p> <p>#3 - Turbine Location and Development Footprint Plan</p> <p>#8 - Northern Quoll Outcomes Strategy</p> <p>#13 - Wind Farm Implementation Plan</p> <p>#19 - Offset Area Management Plan</p>	<p>COMPLIANT (WFIP TO BE UPDATED and RE-SUBMITTED)</p>	<p>TLDFP submitted 13/1/2017; approved 18/1/2017</p> <p>TLDFP as-built (Previously supplied in 2019 Year 2 Compliance Report)</p> <p>NQOS submitted 7/12/2016; approved 23/12/2016</p> <p>WFIP submitted 24/4/2018; approved 4/5/2018</p> <p>OAMP submitted 16/12/2016; approved 20/12/2016</p> <p>WFIP Data, analysis reports and review submitted in July 2022, in accordance with this Condition. Approval received 15/07/2022 that during the 12 month period (2022-2023) half of the turbines (randomly selected) should operate with no windspeed curtailment while the other half remain curtailed at 3 m/s.</p> <p>Undertake a review and submit a revised WFIP to the Minister for approval late 2024 detailing proposed curtailment requirements and performance thresholds. (Refer comments in Condition 16 above)</p>
30	<p>The approval holder may revoke its choice under condition 29 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised plan without approval under section 143A of the Act, the approval holder must implement the version of the plan most recently approved by the Minister.</p>	<p>Revised Plans</p>	<p>NOT APPLICABLE</p>	<p>No revisions made at this time.</p>

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
31	Condition 29 does not apply if the revisions to the approved plan or strategy include changes to environmental offsets provided under the plan or strategy in relation to a matter protected by a controlling provision for the action, unless otherwise agreed in writing by the Minister. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised plan or strategy would, or would not, be likely to have new or increased impacts.	Revised Plans	NOT APPLICABLE	No revisions made at this time.
32	<p>If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased impact, then:</p> <p>(a) condition 29 does not apply, or ceases to apply, in relation to the revised plan; and</p> <p>(b) the approval holder must implement the version of the plan most recently approved by the Minister.</p> <p>To avoid any doubt, this condition does not affect any operation of conditions 29 and 30 in the period before the day after the notice is given.</p>	Revised Plans	NOT APPLICABLE	No revisions made at this time.
33	At the time of giving a notice under condition 32, the Minister may also notify that for a specified period of time condition 29 does not apply for one or more specified plans required under the approval.	Revised Plans	NOT APPLICABLE	No revisions made at this time.
34	Conditions 29, 30, 31 and 32 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised plan to the Minister for approval.	Revised Plans	NOT APPLICABLE	No revisions made at this time.
35	If, at any time after five years from the date of this approval, the approval holder has not substantially commenced the action, then	Drop Dead Date - 26 November 2020	COMPLIANT	Refer to Condition 23.

No.	CONDITION	DELIVERABLE	DESIGNATION	CURRENT STATUS
	the approval holder must not commence the action without the written agreement of the Minister.			

ATTACHMENTS



A. MEWF OFFSET BIOCONDITION REPORT Attachment A -
R2024-234_RATCH-A



B. MORTALITY AND CURTAILMENT SYNOPSIS FOR 2022-2023” Attachment B -
L2023-175 Synopsis c



C. MT EMERALD WIND FARM CURTAILMENT ANALYSIS - PHASE 3 Attachment C - Mt
Emerald Wind Farm C

D. NORTHER QUOLL MONITORING REPORT - MT EMERALD WIND FARM (2023)



Attachment D -
R2024-221 MEWF NC