

Annual Compliance Report – EPBC 2018/8141



Clarke Creek Wind Farm, Queensland
EPBC 2018/8141

7 March 2023 – 6 March 2024



Revision Control

Revision	Date	Issue	Author	Reviewed	Approved
0	03/06/24	Final/Issued	A Gordijn	C Somerville	J Macchiusi

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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):

John Macchiusi

Position (please print):

CCWF Project Director

Organisation:

Squadron Energy

Date:

04/06/2023

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1 Introduction

This Annual Compliance Report has been prepared in relation to the Clarke Creek Wind Farm (the Project).

This report outlines the compliance of the Project with its relevant approval conditions under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), detailed within the approval decision dated 9 November 2018 (Ref. EPBC 2018/8141).

This report has been prepared in accordance with Condition 25 of EPBC 2018/8141, which is:

*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:*

- a. Publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;*
- b. Notify the **Department** by email that a **compliance report** has been published on the **website** within five **business days** of the date of publication;*
- c. Keep all **compliance reports** publicly available on the **website** until this approval expires;*
- d. Exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and*
- e. Where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.*

Note: Compliance reports may be published on the **Department's** website.

The following definitions apply in relation to Condition 25:

- **Business days:** means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
- **Compliance reports:** means written reports:
 - i. providing accurate and complete details of compliance, incidents, and non-compliance with the conditions and the plans;
 - ii. consistent with the Department's Annual Compliance Report Guidelines (2014);
 - iii. include a shapefile of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period; and
 - iv. annexing a schedule of all plans prepared and in existence in relation to the conditions during the relevant 12 month period.
- **Department:** means the Australian Government agency responsible for administering the EPBC Act.
- **Minister:** means the Australian Government Minister administering the EPBC Act including any delegate thereof.
- **Sensitive ecological data:** means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data - Access and Management Policy V1.0*.
- **Website:** means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

This report has also been prepared in accordance with the 'Annual Compliance Report Guidelines 2014' published in 2023 by the Commonwealth Department of Climate Change, Energy, the Environment and Water.

2 Project Description

2.1 Project Details

Table 1 Project details

Project item	Description
Approval Decision reference	EPBC 2018/8141
Project name	Clarke Creek Wind Farm
Approval holder ACN / ABN	Clarke Creek Energy Pty Ltd ACN: 614 169 096; and Isaac Wind & Solar Energy Pty Ltd ACN: 615 593 078
Approved action	To construct and operate up to 195 wind turbines and associated ancillary infrastructure within the locality of Clarke Creek, 150 kilometres north-west of Rockhampton, Queensland; as described in the referral received by the former Commonwealth Department of the Environment and Energy on 15 January 2018.
Project location	The Project is located within the Clarke Creek locality being within the Isaac Regional Council (IRC) and Livingstone Shire Council (LSC) local government areas, approximately 150 kilometres (km) north-west of Rockhampton in Central Queensland. The project layout is provided in Figure 1.
Date of commencement of the action	7 March 2022
Reporting period of the report	7 March 2023 – 6 March 2024
Date of preparation of the report	3 June 2024

2.2 Key Parties

- Squadron Energy – Principal
- Jacob's – Owners Engineer
- Yurika – Electrical Balance of Plant Contractor
- Powerlink – Grid Operator / Contractor
- Goldwind Constructions Australia – Turbine Supplier and Installation Contractor
- Siemens – Synchronous Condenser and Transformer Supplier / Installer

The Project has been supported by a range of consultants to support delivery, monitoring, reporting and approvals, including:

- Nature Advisory – Bird and Bat Management Plan
- Green Tape Solutions - Cycad translocation and monitoring, Offset Management Planning

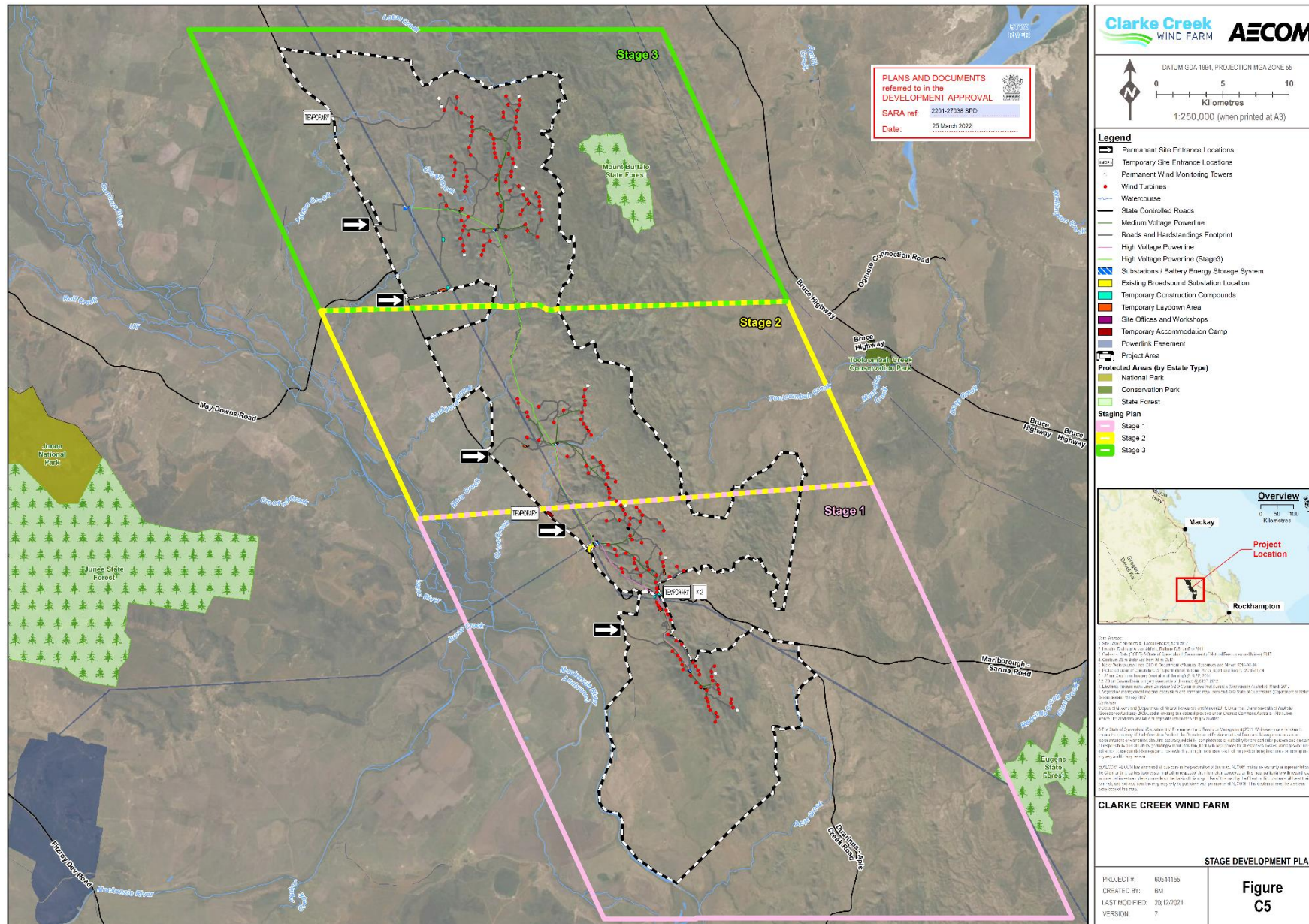


Figure 1 – Clarke Creek Wind Farm Site layout

2.3 Project Status

As at the end of the reporting year, 6 March 2024, the construction of Stages 1 & 2 (Phase 1) was ongoing, and construction of Stage 3 (Phase 2) had not yet commenced.

For Phase 1 of the project, the key activities undertaken during the reporting period are summarised in Table 2.

Table 2 Key activities undertaken during the reporting period (Phase 1)

Activity	Details and status as at end of reporting period
Vegetation clearing	Vegetation clearing to enable the construction of overhead power lines, access roads and hardstands.
Road and hardstand construction	Access roads to turbines – approximately 35% complete.
Turbine foundations	47% of turbine foundations poured.
Overhead powerline construction	3.8km of 44 km of overhead powerlines constructed (approx. 9%)
Substation construction	Construction of three substations required for Phase 1 of the wind farm: <ul style="list-style-type: none"> Northern substation (approx. 32% complete) Central substation (approx. 67% complete) Southern substation (approx. 20% complete)
Synchronous condenser installation	The synchronous condenser installation is ongoing.
Turbine component delivery	Turbine component deliveries commenced in September 2023. 29% of complete turbines delivered to the site.
Turbine component installation	Turbine component installation commenced in September 2023. 12 of 100 turbines erected and mechanically complete, awaiting commissioning.
Plan preparation	Refer to the Schedule of Plans provided at Appendix A.

Commissioning and operation of turbines had not commenced during the reporting period.

2.4 Environmental Management Framework

The site-based contractors and the owner's team have Occupational Health Safety & Environmental (OHS&E) staff onsite to manage all related OHS&E matters. Each Contractor has a Construction Environmental Management Plan (CEMP), Workplace Health and Safety Management Plan (WHSMP) and Project Management Plan which prescribe what environmental activities will be/are managed and how breaches/incidents are managed and notified to the Principal and regulators. These plans include and detail, where required, the relevant conditions and management plan requirements of the Commonwealth approval (EPBC 2018/8141) and Queensland State development approval for the Project.

3 EPBC Act Approval Condition Compliance

3.1 Compliance Scoring

For each approval condition, the following designation are used to record compliance assessment results:

- Compliant:** Achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
- Non-compliant:** The requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
- Not applicable:** The requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

3.2 Compliance Assessment

The compliance assessment results are presented in Table 3.

Table 3 Compliance Assessment for EPBC 2018/8141

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
Construction/Clearance limits			
1	For the purpose of the action, the approval holder must not take any action outside the wind farm site.	Compliant	For the purposes of the action, the approval has not undertaken any action outside the wind farm site.
2	The approval holder must not construct more than 195 wind turbines and associated infrastructure on the wind farm site.	Compliant	The approval holder has not constructed more than 195 wind turbines and associated infrastructure on the wind farm site. Phase 1 of the wind farm is currently under construction and comprises 100 wind turbines and associated infrastructure.
3	To minimise impacts to EPBC Act listed threatened species and communities, the approval holder must not clear more than:		
3 (a)	1513 ha of habitat suitable for the Koala	Compliant	The approval holder has not cleared more than 1513 ha of suitable habitat for the Koala. Clearing records indicate that as of May 2024, a total of approximately 347.56 ha of suitable habitat for the koala had been cleared since the commencement of the action.
3 (b)	17.83 ha of suitable habitat for the Greater Glider and Squatter Pigeon	Compliant	The approval holder has not cleared more than 17.83 ha of suitable habitat for the Greater Glider and Squatter Pigeon. Clearing records indicate that as of May 2024, a total of approximately 1.46 ha of suitable habitat for the Greater Glider and Squatter Pigeon had been cleared since the commencement of the action.
3 (c)	45.22 ha of the Semi-evergreen Vine Thicket on the wind farm site.	Compliant	The approval holder has not cleared more than 45.22 ha of Semi-evergreen Vine Thicket. Following additional detailed assessments of the vegetation on site, the EPBC-listed Semi-evergreen Vine Thicket was not confirmed on site for Stages 1 & 2. Consequently, no direct offset solution is proposed for this Matter of National Environmental Significance (MNES).

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
Environmental Management Plan			
4	<p>The approval holder must submit an Environmental Management Plan for the Minister's approval to minimise impacts to EPBC Act listed threatened species and communities and EPBC Act listed threatened bird and bat species.</p> <p>If the Minister approves the Environmental Management Plan then the approved Environmental Management Plan must be implemented.</p>	Compliant	<p>A Biodiversity Management Plan was submitted to the Minister for approval. The BMP was approved on 12 June 2020 (EPBC 2018-8141 BMP CTMP Decision Letter), with the latest version being Clarke Creek Wind Farm – Biodiversity Management Plan, Revision 3.4, dated 10 September 2021 (the BMP) (updated per condition 32 of EPBC 2018- 8141 and the Minister was notified per condition 33).</p> <p>The BMP has been implemented during the reporting period.</p>
5	The approval holder must not commence the action unless the Minister has approved the Environmental Management Plan in writing.	Compliant	The BMP was approved prior to commencement of the action on 7 March 2022.
6	The Environmental Management Plan must include specific details of the management actions and outcomes for the protection of EPBC Act listed threatened species and communities and EPBC Act listed threatened bird and bat species, including how measures outlined take into account relevant conservation advice and are consistent with the measures in all relevant recovery plans and threat abatement plans.	Compliant	<p>Appendix E - MNES and MSES Profiles of the BMP provides specific management approaches for the EPBC Act listed threatened species and communities including:</p> <ul style="list-style-type: none"> • Squatter Pigeon (<i>Geophaps scripta scripta</i>) • Koala (<i>Phascolarctos cinereus</i>) • Greater Glider (<i>Petauroides Volans</i>) • Red Goshawk (<i>Erythroriorchis radiatus</i>) • Corben's Long-eared Bat (<i>Nyctophilus corbeni</i>) • Grey Falcon (<i>Falco hypoleucos</i>) • Ornamental Snake (<i>Denisonia maculata</i>) • Cycads (<i>Cycas megacarpa</i>, <i>Cycas ophiolitica</i>) • Semi-evergreen Vine Thickets (SEVT) of the Brigalow Belt <p>Sections 1.4 and 5 of the BMP provides performance indicators for the environmental objectives and relevant management actions, respectively. A review of the effectiveness of the performance indicators is provided in Appendix A of this report.</p>
7	The Environmental Management Plan must be consistent with the Environmental Management Plan Guidelines, and must include:	Compliant	The BMP is consistent with the Environmental Management Plan Guidelines.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
7 (a)	The environmental objectives, relevant protected matter(s) and a reference to EPBC Act approval conditions to which the Environmental Management Plan refers.	Compliant	Section 1.4 of the BMP includes the environmental objectives and relevant protected matters. Table 2-1 of the BMP includes the EPBC Act approval conditions.
7 (b)	A table of commitments made in the Environmental Management Plan to achieve the objectives, and a reference to where the commitments are detailed in the Environmental Management Plan.	Compliant	Section 2.1 of the BMP provides a table of the EPBC Act approval conditions and references to the section where they are detailed.
7 (c)	Reporting and review mechanisms, and documentation standards to demonstrate compliance with the Environmental Management Plan.	Compliant	Section 6.4 of the BMP provides detail on the reporting mechanisms and Section 7.5 details the audit and review process. The reporting requirements include an Annual Compliance Report and quarterly Species Management Program reporting.
7 (d)	An assessment of risks to achieving the Environmental Management Plans environmental objectives and risk management strategies that will be applied.	Compliant	Section 5.6 of the BMP provides the risk assessment to achieving the environmental objectives.
7 (e)	Impact avoidance, mitigation and/or repair measures, and their timing.	Compliant	Section 5 of the BMP details impact avoidance, mitigation measures, management actions and risk assessment.
7 (f)	A monitoring program, which must include: <ul style="list-style-type: none"> i. measurable performance indicators; ii. trigger values for corrective actions; iii. the timing and frequency of monitoring to detect changes in the performance indicators and timely detection of trigger values; and iv. proposed corrective actions if trigger values are reached. 	Compliant	Table 6.1 of the BMP provides a monitoring schedule with performance indicators, timing and frequency of monitoring.
7 (g)	Reference to other relevant plans and/or conditions of approval (including State/Territory).	Compliant	Reference to the conditions of approval is made in Section 2 of the BMP which includes the EPBC Act conditions of approval and Queensland Government's Department of State Development, Infrastructure, Local Government and Planning's development approval conditions pertaining to the requirement for a Vegetation and Fauna Management Plan.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
Cycad(s) Management			
8	For the protection of listed Cycad(s) species, the approval holder must include within the Environmental Management Plan a Cycad(s) translocation program that:	Compliant	A Cycad Translocation and Management Plan was submitted to the Minister for approval. The CTMP was approved on 12 June 2020 (EPBC 2018-8141 BMP CTMP Decision Letter), with the latest version being Clarke Creek Wind Farm – Cycad Translocation and Management Plan, Revision V5, dated 8 November 2021 (the CTMP), as included within the BMP as Appendix G (updated per condition 32 of EPBC 2018-8141 and the Minister was notified per condition 33).
8 (a)	Is in accordance with the National multi-species recovery plan and the Guidelines for translocation of threatened plants.	Compliant	The CTMP has been developed in accordance with the National Multi-Species Recovery Plan for Cycads (Queensland Herbarium, 2007), the Guidelines for the Translocation of Threatened Plants in Australia (Commander et al., 2018) and the conditions stipulated under the EPBC Act approval. The CTMP is being implemented by all relevant parties throughout construction.
8 (b)	Specifies the number of Cycad(s) that cannot be avoided by the action.	Compliant	Section 2.1 of the CTMP outlines that a survey conducted in March 2021 did not identify any EPBC-listed Cycads within the Project footprint cleared to date. All cycads encountered to date have been identified as <i>C. terryana</i> , which is not an EPBC-listed species and thus outside the remit of the EPBC Act approval (relevant to the Queensland Department of Environment Science and Innovation protected plants approval). Avoiding clearance of some EPBC-listed Cycads in later stages/phases will unlikely be possible due to constraints associated with Project construction (e.g., topography, geology and location of Cycads). Where impacts are unavoidable, Cycads will be salvaged and translocated. The Principal has engaged Green Tape Solutions for Cycad translocations prior to construction.
8 (c)	Specifies the procedure for the relocation of Cycad(s) to areas outside of the impact areas suitable for their survival.	Compliant	Section 4 of the CTMP details the procedure for the translocation of Cycads to areas outside of the impact areas.
8 (d)	Identifies where Cycad(s) will be translocated to.	Compliant	Figures 2-1 and 2-2 of the CTMP identifies where the Cycads will be translocated to. Section 2.3 describes that the final recipient site/s will be defined following the completion of the detailed design and further consultation with the respective landowners.
8 (e)	Specifies ongoing management to enable the successful re-establishment of translocated cycads.	Compliant	Section 7 of the CTMP identifies the management and mitigation actions for any translocated and propagated cycads.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
8 (f)	Specifies the process for monitoring and reporting the progress and ultimate success (health) of translocated individuals.	Compliant	Section 8 of the CTMP details the monitoring and reporting process.
8 (g)	Specifies the program for propagating Cycad(s) to replace any relocated individuals that have not survived the translocation process.	Compliant	Section 5 of the CTMP details the seed collection and propagation process.
Threatened Bird and Bat Management			
9	The approval holder must submit a Threatened Bird and Bat Management Plan for the Minister's approval that ensures the protection of EPBC Act listed threatened bird and bat species. If the Minister approves the Threatened Bird and Bat Management Plan then the approved Threatened Bird and Bat Management Plan must be implemented.	Compliant	<p>A proposed Bird and Bat Management Plan (BBMP) was submitted to the Department for Minister's approval in December 2020.</p> <p>During the reporting period, the BBMP was revised by the approval holder to address comments from the Department. This included submission of revised BBMP documents to the Department on:</p> <ul style="list-style-type: none"> • 12 September 2023 (version 4.9) • 28 November 2023 (version 4.10) • 22 December 2023 (version 4.11) <p>The Department has reviewed BBMP v4.11 and provided comments to the approval holder on 7 February 2024.</p> <p>As at the end of the reporting period the approval holder was undertaking a further revision to address the Departments comments.</p> <p><i><u>Notes on matters that have occurred after the reporting period:</u></i></p>
10	The approval holder must not begin operation of the wind farm unless the Minister has approved the Threatened Bird and Bat Management Plan in writing.	Compliant	The operation of the wind farm had not commenced during the reporting period.
11	The Threatened Bird and Bat Management Plan must be consistent with the Department's Environmental Management Plan Guidelines, and must include:	Compliant	The BBMP has been prepared consistent with the Departments Environmental Management Plan Guidelines.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
11 (a)	The Threatened Bird and Bat Management Plan environmental objectives, for relevant protected matter(s) and a reference to EPBC Act approval conditions to which the Threatened Bird and Bat Management Plan refers.	Compliant	The environmental objectives for the relevant protected matters are included in Section 1.4 (Table 2) of the BBMP. References to the approval conditions to which the BBMP relates are included in Sections 1.2 and 1.3 of the BBMP.
11 (b)	A table of commitments made in the Threatened Bird and Bat Management Plan to achieve the objectives, and a reference to where the commitments are detailed in the Threatened Bird and Bat Management Plan.	Compliant	Commitments to achieve the objectives are included in Section 1.4 of the BBMP, along with a reference to where the commitments are detailed within the BBMP (Table 2).
11 (c)	Reporting and review mechanisms, and documentation standards to demonstrate compliance with the Threatened Bird and Bat Management Plan.	Compliant	Reporting and review mechanisms are included in Section 9 of the BBMP.
11 (d)	An assessment of risks to achieving the Threatened Bird and Bat Management Plan's environmental objectives and risk management strategies that will be applied.	Compliant	An assessment of risks is included in Section 8 of the BBMP.
11 (e)	Impact avoidance, mitigation and/or repair measures, and their timing.	Compliant	Impact avoidance measures are included in Section 3 of the BBMP. Impact mitigation measures are included in Section 5 (Table 7) of the BBMP.
11 (f)	A monitoring program, which must include: <ul style="list-style-type: none"> i. measurable performance indicators; ii. trigger values for corrective actions; iii. the timing and frequency of monitoring to detect changes in the performance indicators and timely detection of trigger values; iv. mortality monitoring; and v. proposed corrective actions if trigger values are reached. 	Compliant	A monitoring program is included in Section 4 of the BBMP.
11 (g)	Provide any links to other plans or conditions of approval (including State/Territory approval conditions).	Compliant	Links (references) to other plans or conditions of approval are included in Section 1.2 of the BBMP.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
11 (h)	<p>Details of mitigation measures to minimise impacts on EPBC Act listed threatened bird and bat species including but not limited to:</p> <ul style="list-style-type: none"> i. measures to minimise impacts associated with lighting, such as preventing the attraction of EPBC Act listed threatened bird and bat species and prey species to locations with high risk of collision with turbines; ii. measures to minimise the risk of turbine collision with EPBC Act listed threatened bird and bat species, such as, but not limited to, bird and insect deterrents and low wind speed curtailment. 	Compliant	<p>Mitigation measures to minimise impacts associated with lighting are included in Section 3 of the BBMP.</p> <p>Mitigation measures to minimise the risk of turbine collision are included in Section 3. These include bat deterrents, low wind speed cut-in, and pest animal control.</p>
11 (i)	<p>Details of how the effectiveness of mitigation measures will be monitored and reported as part of the annual compliance reporting.</p>	Compliant	<p>Details of how the effectiveness of mitigation measures will be monitored and reported on as part of the annual compliance reporting are included in Section 5.6 and 9 of the BBMP.</p>
11 (j)	<p>Procedures for dealing with any EPBC Act listed threatened bird and bat species require relocation or are injured on the wind farm site.</p>	Compliant	<p>An injured bird and bat protocol is included in Section 6 of the BBMP.</p>
11 (k)	<p>A program of monitoring and reporting to determine the effectiveness of management measures and inform adaptive implementation of management measures to minimise the impacts to EPBC Act listed threatened bird and bat species.</p>	Compliant	<p>A program of monitoring and reporting is included at Sections 4, 5 and 9 of the BBMP.</p>
12	<p>Within three (3) months of every 12 month anniversary of the commencement of the commissioning of the wind farm, the approval holder must publish a report detailing how condition 9 is being met and evaluating the effectiveness of the measures to avoid and mitigate the impacts of turbine collision to EPBC Act listed threatened bird and bat species on the wind farm site.</p>	Not applicable	<p>Commissioning of the wind farm had not commenced during the reporting period.</p>

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
13	If one or more annual report(s) required under condition 12 demonstrates that the action has resulted in residual significant impacts to EPBC Act listed threatened bird and bat species the approval holder must, within 12 months of being aware of such impact and/or detecting a trigger specified in the Offset Strategy (see condition 14 (e)), provide an offset in accordance with the EPBC Act Environmental Offsets Policy. The approval holder must obtain the approval of the Department for the proposed offset prior to providing it.	Not applicable	Commissioning of the wind farm had not commenced during the reporting period.
Offsets			
14	<p>To compensate for the impacts of clearing the approval holder must submit an Offset Strategy for the written approval of the Minister. The action must not commence until the Offset Strategy has been approved by the Minister.</p> <p>If the Minister approves the Offset Strategy then the approved Offset Strategy must be implemented. The Offset Strategy must be prepared by a suitably qualified person in accordance with the EPBC Act Environmental Offsets Policy and Environmental Management Plan Guidelines.</p> <p>The Offset Strategy must:</p>	Non-compliant	<p>An Offset Strategy (version 2.8, dated 16 December 2020) was prepared and submitted to the Minister for approval.</p> <p>The Offset Strategy was prepared in accordance with the EPBC Act Environmental Offsets Policy and Environmental Management Plan Guidelines.</p> <p>The Offset Strategy was prepared by suitably qualified persons from NGH Environmental, Green Tape Solutions and Nature Advisory. Their persons and their qualifications are documented in Section 1.1.1 of the Offset Strategy.</p> <p>The Minister provided written approval on 23 December 2020, prior to the commencement of the action.</p> <p>A non-compliance has been recorded because the approval holder did not, in accordance with the approved Offset Strategy, submit and have approved, the Offset Management Plan within 12 months of commencement of the action (see Condition 15).</p> <p>On 2 May 2024, the Department wrote a letter to the approval holder which served as the warning notice for, and finalised, the compliance matter relating to the above-mentioned non-compliance with condition 14.</p> <p><i><u>Notes on matters that have occurred after the reporting period:</u></i></p> <p><i>It is noted that a revised OMP (version 2.0) was submitted to the Department after the end of the reporting period, on 15 March 2024. Minister's approval of the OMP had not been received at the time of writing this report.</i></p>

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
14 (a)	Propose an offset package, including potential offset sites, in accordance with the EPBC Act Environmental Offsets Policy, to compensate the loss of: <ul style="list-style-type: none"> i. Koala habitat; ii. Greater Glider habitat; and iii. Semi-evergreen Vine Thicket. 	Compliant	A proposed offset package, including potential offset sites, is included in Section 3 of the approved Offset Strategy.
14 (b)	Provide offset calculations, including all inputs to the calculations, used to prepare the offset package proposal.	Compliant	Section 3.3 and Appendix A of the Offset Strategy detail the offset calculations.
14 (c)	Propose measures for the long term protection and management of offset sites.	Compliant	Sections 2.9.1 and 4.1 of the Offset Strategy provide the mitigation measures and management actions for the offset sites.
14 (d)	Proposed a timeline and legal mechanism for securing the offset sites to meet the offset requirement in Condition 15.	Compliant	Section 3.2 of the Offset Strategy provides details of the legal offset mechanism. Table 3-3 provides the estimated timeframe for legally securing the offsets.
14 (e)	Determine and justify trigger levels for the requirement to provide an offset for significant residual impacts on EPBC Act listed threatened bird and bat species.	Compliant	Section 2.11.1 of the Offset Strategy defines the trigger levels to provide an offset for significant residual impacts on EPBC Act listed threatened bird and bat species.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
15	<p>Within 12 months of commencement of the action, and prior to the commissioning of wind turbines, the approval holder must submit, and have approved by the Minister, an offset management plan.</p> <p>The Offset Management Plan must be prepared by a suitably qualified person in accordance with the EPBC Act Environmental Offsets Policy and Environmental Management Plan Guidelines and include:</p>	Non-compliant	<p>A proposed Offset Management Plan (the OMP) was submitted to the Minister on 3 March 2023, within 12 months of commencing the action(, however the Minister’s approval was not obtained within the time period. Therefore, the project is non-compliant with this condition.</p> <p>The approved Offset Strategy allows for a staged or ‘phased’ approach to offsets. However, in its current state, the EPBC 2018/8141 conditions do not accurately reflect the phased delivery of the Project (which is occurring over 2 Phases and 3 Stages).</p> <p>In order to progress the OMP and other associated management plans in a phased manner, the approval holder submitted a variation application to the Department on 2 February 2024. The application seeks to vary Condition 15, among others, to ensure that the condition wording accurately reflects the proposed phased approach to management plan preparation and future management actions.</p> <p>As at the end of the reporting period, the approval holder and their consultant were revising the OMP to address Department comments and to revise it for Phase 1.</p> <p>The proposed OMP has been prepared by suitably qualified ecological consultants from Green Tape Solutions. Details of the authors qualifications will be available in the OMP.</p> <p><i>Notes on matters that have occurred after the reporting period:</i> A revised OMP (version 2.0) was submitted to the Department on 15 March 2024. Minister’s approval of the OMP had not been received at the time of writing this report.</p>
15 (a)	Details of the environmental offset/s to compensate for the loss of habitat for Koala, Greater Glider and Semi-evergreen Vine Thicket on the wind farm site.	Compliant	Details of the environmental offsets is provided in Section 3 of the OMP (v2.0).
15 (b)	A description and map (including shapefiles) to clearly define the location and boundaries of the proposed offset area/s, accompanied by the offset attributes.	Compliant	<p>A description is provided in Section 3 of the OMP (v2.0).</p> <p>A map is provided in Figure 2 of the OMP (v2.0).</p> <p>Shapefiles defining the location and boundaries of the proposed offset sites were provided to the Department with the OMP (v2.0).</p>

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
15 (c)	Details, including but not limited to, the extent and quality of the habitat for Koala, Greater Glider and Semi-evergreen Vine Thicket on the offset site/s.	Compliant	Details are provided in Section 3, Appendix 1 and Appendix 2 of the OMP (v2.0).
15 (d)	The proposed timeline and legal mechanism for securing the offset(s).	Compliant	A proposed timeline is provided in Section 7 of the OMP (v2.0).
15 (e)	A description of the current condition (prior to the proposed management activities) of the proposed offset site/s, including existing vegetation (the baseline condition).	Compliant	A description is provided in Section 3 of the OMP (v2.0).
15 (f)	A description of the proposed management measures (including timing, frequency and duration) that will be implemented on the offset site/s.	Compliant	A description of proposed management measures is provided in Section 4 of the OMP (v2.0).
15 (g)	Performance and completion criteria for evaluating the management of the offset site/s, and criteria for triggering remedial action (if necessary)	Compliant	Performance and completion criteria are provided in Section 5 and Section 8 of the OMP (v2.0).
15 (h)	Details of how the offset will improve habitat availability for Koala, Greater Glider and Semievergreen Vine Thicket.	Compliant	Details are provided in Section 4 of the OMP (v2.0).
15 (i)	Details of how the offset will provide landscape scale habitat connectivity.	Compliant	Details are provided in Section 4 of the OMP (v2.0).
15 (j)	A description of the management measures that will be implemented on the offset site for the protection and management of habitat for Koala, Greater Glider and Semi-evergreen Vine Thicket, including a discussion of how measures proposed are consistent with the measures in conservation advice, recovery plans and relevant threat abatement plans.	Compliant	A description of management measures is provided in Section 4 of the OMP (v2.0).
15 (k)	A program, including timelines to monitor and report on the effectiveness of these measures, and progress against the performance and completion criteria, and to detect triggers for remedial action.	Compliant	A program is provided in Section 8 of the OMP (v2.0).

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
15 (I)	A description of potential risks to the successful implementation of the plan, and a description of the contingency measures that will be implemented to mitigate against these risks.	Compliant	A description of potential risks is provided in Section 6 of the OMP (v2.0).
16	The approved Offset Management Plan must be implemented.	Not applicable	The Offset Management Plan had not been approved by the Minister during the reporting period.
17	The approval holder must legally secure the offset sites required under the Offset Management Plan within 2 years of the commencement of the action.	Non-compliant	<p>The approval holder did not legally secure offset sites within 2 years of the commencement of the action.</p> <p>On 7 March 2024, the approval holder made a non-compliance notification to the Department in accordance with Condition 26. On 20 March 2024, the approval holder provided further details of the non-compliance to the Department in accordance with Condition 27.</p> <p>As detailed in the approved Offset Strategy, the approval holder intends to legally secure the offset sites via the Queensland Voluntary Declaration (VDec) process. The approval holder will be able to progress the VDec application process once the Minister has approved the OMP.</p> <p><i>Notes on matters that have occurred after the reporting period:</i></p> <p><i>It is noted that a revised OMP (version 2.0) was submitted to the Department after the end of the reporting period, on 15 March 2024. Minister's approval of the OMP had not been received at the time of writing this report.</i></p>
Notification of date of commencement of the action			
18	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	<p>On 16 March 2022, the approval holder wrote to the Department to provide formal notification that the action commenced on 7 March 2022. The written notification was provided seven (7) business days after the date of commencement of the action.</p> <p>On 29 March 2022, the Department provided a letter response which acknowledged receipt of the notification in accordance with Condition 18 of the approval.</p>

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
19	The approval holder must notify the Department in writing of the date of commissioning within 10 business days after the date of commissioning.	Not applicable	Commissioning of the wind turbines has not commenced.
20	If the commencement of the action does not occur within 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.	Not applicable	The commencement of the action occurred on 7 March 2022, within 5 years of the date of the approval. The approval is dated 9 November 2018.
Compliance records			
21	The approval holder must maintain accurate and complete compliance records.	Compliant	The approval holder maintains accurate and complete compliance records.
22	<p>If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.</p> <p>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.</p>	Not applicable	The Department has not made a request for the provision of any electronic compliance records.
Preparation and publication of plans			
23	The approval holder must:		

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
23 (a)	Submit plans electronically to the Department for approval by the Minister.	Compliant	<p>The plans have been submitted electronically to the Department for approval by the Minister.</p> <p>The BMP (Condition 4) was submitted electronically, and Ministers approval was received on 12 June 2020. The BMP was revised 10 September 2021 per condition 32, and the Minister was notified per condition 33.</p> <p>The CTMP (Condition 8) was submitted electronically, and Minister's approval was received on 12 June 2020. The CTMP was revised 8 November 2021 per condition 32, and the Minister was notified per condition 33.</p> <p>The BBMP (Condition 9) was first submitted electronically in December 2020 for approval by the Minister. The BBMP was later revised and resubmitted electronically on 3 March 2023, 12 September 2023, 28 November 2023, and 22 December 2023. Minister's approval of the BBMP had still not been received in the reporting period.</p> <p>The OMP (Condition 15) was submitted 3 March 2023 for approval by the Minister. A revised OMP (v2.0) was submitted on 15 March 2024.</p>
23 (b)	Publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Minister, unless otherwise agreed to in writing by the Minister.	Compliant	<p>The BMP (Condition 4), CTMP as an appendix to the BMP (Condition 8) and the Offset Strategy (Condition 14) have been published on the website (within 20 business days of the Minister's approval date).</p> <p>Approval of the BBBMP (Condition 9) and OMP (Condition 15) has not yet been received.</p>
23 (c)	Exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public.	Compliant	Sensitive ecological data has not been included on the plans published on the website.
23 (d)	Keep plans published on the website until the end date of this approval.	Compliant	The approved plans continue to remain published on the website.
24	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.	Compliant	Where required by a Plan, data has been submitted electronically to the Department in accordance with the requirements of the Plan.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
Annual compliance reporting			
25	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:	Non-compliant	A compliance report was prepared for the first 12 month period, being 7 March 2022 to 6 March 2023. The approval holder did not submit to the Department with their written compliance report, the shapefiles of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period. Therefore, the project was non-compliant with this condition.
25 (a)	Publish each compliance report on the website within 60 business days following the relevant 12 month period.	Compliant	The first Annual Compliance Report was published on the website on 5 May 2023, 40 business days following the 12 month anniversary of commencing the action.
25 (b)	Notify the Department by email that a compliance report has been published on the website within five business days of the date of publication.	Compliant	On 9 May 2023, the Department were notified by email that the first compliance report had been published on the website. The email notification was made to the Department 3 business days following publication of the report on the website.
25 (c)	Keep all compliance reports publicly available on the website until this approval expires.	Compliant	The compliance report continues to remain published on the website.
25 (d)	Exclude or redact sensitive ecological data from compliance reports published on the website.	Not applicable	Sensitive ecological data was not included in the first annual compliance report., which was published on the website on 5 May 2023.
25 (e)	Where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. Note: Compliance reports may be published on the Department's website.	Not applicable	Sensitive ecological data was not included in the first annual compliance report, published on the website on 5 May 2023.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
Reporting non-compliance			
26	<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 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ol style="list-style-type: none"> The condition which is or may be in breach. A short description of the incident and/or noncompliance. 	Non-compliant	<p>The approval holder became non-compliant with Condition 15 on 7 March 2023. The approval holder did not notify the Department of this non-compliance in accordance with Condition 26.</p> <p>It is noted that the approval holder recorded the non-compliance with Condition 15 in its first annual Compliance Report, which was published on the website on 5 May 2023, and submitted to the Department on 9 May 2023 in accordance with Condition 25.</p> <p><i>Notes on matters that have occurred after the reporting period:</i></p> <p><i>It is noted that a non-compliance with Condition 17 has occurred and was subsequently notified to the Department on 7 March 2024 in accordance with Condition 26. As this falls outside the current reporting period (7 March 2023 – 6 March 2024), details will be provided in the next annual Compliance Report.</i></p>
27	<p>The approval holder must provide to the Department the details of any incident or noncompliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ol style="list-style-type: none"> Any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future. The potential impacts of the incident or noncompliance. The method and timing of any remedial action that will be undertaken by the approval holder. 	Non-compliant	<p>The approval holder became non-compliant with Condition 15 on 7 March 2023. The approval holder did not provide the details of the non-compliance to the Department in the time specified under Condition 27.</p> <p>It is noted that the approval holder recorded the non-compliance with Condition 15 in its first annual Compliance Report, which was published on the website on 5 May 2023, and submitted to the Department on 9 May 2023 in accordance with Condition 25.</p> <p><i>Notes on matters that have occurred after the reporting period:</i></p> <p><i>It is noted that the details of a non-compliance with Condition 17 was provided to the Department on 20 March 2024. As this falls outside the current reporting period (7 March 2023 – 6 March 2024), details will be provided in the next annual Compliance Report.</i></p>
Independent audit			
28	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Not applicable	The Minister did not request any independent audit of compliance with the conditions during the reporting period.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
29	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a) Provide the name and qualifications of the independent auditor and the draft audit criteria to the Department. b) Only commence the independent audit once the audit criteria have been approved in writing by the Department. c) Submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	Not applicable	The Minister did not request any independent audit of compliance with the conditions during the reporting period.
30	<p>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.</p>	Not applicable	The Minister did not request any independent audit of compliance with the conditions during the reporting period.
Revision of action management plans			
31	<p>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 4, 9 and 14 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 (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan</p>	Not applicable	No approved action management plans were revised in accordance with this condition, during the reporting period.
32	<p>The approval holder may choose to revise an action management plan approved by the Minister under conditions 4 and 9, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.</p>	Not applicable	No approved action management plans were revised in accordance with this condition, during the reporting period.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
33	If the approval holder makes the choice under condition 32 to revise an action management plan without submitting it for approval, the approval holder must:	Not applicable	No approved action management plans were revised in accordance with this condition, during the reporting period.
33 (a)	<p>Notify the Department in writing that the approved action management plan has been revised and provide the Department with:</p> <ul style="list-style-type: none"> i. an electronic copy of the RAMP; ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii. an explanation of the differences between the approved action management plan and the RAMP; iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; and v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. 	Not applicable	No approved action management plans were revised in accordance with this condition, during the reporting period.
33 (b)	Subject to condition 35, implement the RAMP from the RAMP implementation date.	Not applicable	No approved action management plans were revised in accordance with this condition, during the reporting period.
34	The approval holder may revoke its choice to implement a RAMP under condition 32 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 32, the approval holder must implement the previous action management plan approved by the Minister.	Not applicable	The approval holder has not revoked a RAMP.
35	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 RAMP would be likely to have a new or increased impact, then:	Not applicable	No notice was received during the reporting period.

Condition Number / reference	Condition	Is the project compliant with this condition?	Comments
35 (a)	Condition 32 does not apply, or ceases to apply, in relation to the RAMP.	Not applicable	No notice was received during the reporting period.
35 (b)	The approval holder must implement the action management plan specified by the Minister in the notice.	Not applicable	No notice was received during the reporting period.
36	At the time of giving the notice under condition 35, the Minister may also notify that for a specified period of time, condition 32 does not apply for one or more specified action management plans.	Not applicable	No notice was received during the reporting period.
Completion of the action			
37	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not applicable	The action is not yet completed.

4 New environmental risks

Two new risks have been identified during the reporting period. These are detailed below.

New Risk 1 – The conditions within EPBC 2018/8141 do not accurately reflect the phased delivery of the project, and the phased delivery of offsets

The approved Offset Strategy allows for a staged or ‘phased’ approach to offsets. However, in its current state, EPBC 2018/8141 conditions do not accurately reflect the phased delivery of the Project (which is occurring over 2 Phases, comprising 3 Stages).

Actions taken by the approval holder to address this risk:

- On 2 February 2024 the approval holder submitted a request to the Department for variation to multiple conditions (including Condition 15) to ensure that the approval adequately provides a staged approach to offsets, consistent with the approved Offset Strategy.
- In the interests of time, and although the variation request was still being processed, on 15 March 2024 the approval holder submitted a revised Offset Management Plan with respect to Phase 1 to the Department for review and approval.

New Risk 2 – Risk of delays to the legal securement of offset sites

As detailed in the Offset Strategy, the approval holder intends to legally secure the offset sites through application to have the land declared as an offset area through the Queensland Voluntary Declaration (VDec) process.

The application for a VDec can only progress once the Offset Management Plan has been approved by the Minister, because:

- An agreement between the approval holder and the landowner can only reasonably be finalised once the Offset Management Plan has been approved.
- The application for a VDec can only reasonably be made after the OMP has been approved by the Minister, and after the landowner agreement has been finalised.

Until the Minister has approved the OMP, the approval holder cannot progress the application to legally secure the offset sites.

5 Conclusion

A total of six non-compliances have been recorded within this compliance report:

- **Condition 14:** A non-compliance has been recorded because the approval holder did not, in accordance with the approved Offset Strategy, submit and have approved, the Offset Management Plan within 12 months of commencement of the action.
- **Condition 15:** A non-compliance has been recorded because Minister's approval of the Offset Management Plan was not obtained within 12 months of the commencement of the action.
- **Condition 17:** A non-compliance has been recorded, because the approval holder did not legally secure offset sites within 2 years of the commencement of the action.
- **Condition 25:** A non-compliance has been recorded because the approval holder did not submit to the Department with their written compliance report, the shapefiles of any clearance of any protected matters, or their habitat, undertaken within the relevant 12 month period.
- **Condition 26:** A non-compliance has been recorded because the approval holder did not notify the Department of non-compliances (with conditions 14 and 15), in accordance with the timeframe required under Condition 26.
- **Condition 27:** A non-compliance has been recorded because the approval holder did not provide the details of non-compliances (with Conditions 14 and 15) to the Department in accordance with the timeframe required under Condition 27.

Several of the conditions were 'not applicable' during the reporting period, due to the following factors:

- Commissioning of the wind turbines had not commenced
- Operation of the wind turbines had not commenced
- The project is not completed

Appendix A Schedule of Plans

The table below provides a schedule of the plan(s) prepared and in existence in relation to the conditions during the relevant 12 month period.

Condition reference	Plan description	Approval & implementation status
4	Biodiversity Management Plan (v3.4)	The BMP was approved by the Minister on 12 June 2020. The BMP was implemented during the reporting period.
9	Threatened Bird and Bat Management Plan (in preparation)	<p>The approval holder was proactively progressing the development of the Threatened Bird and Bat Management Plan (BBMP) during the reporting period.</p> <p>The BBMP was submitted to the Department at the following times:</p> <ul style="list-style-type: none"> Version 4.9 - 12 September 2023 Version 4.10 - 28 November 2023 Version 4.11 - 22 December 2023 <p>Minister approval of the BBMP had not been received at the time of writing this report.</p>
14	Offset Strategy (v2.8)	The Offset Strategy was approved by the Minister on 23 December 2020.
15	Offset Management Plan (in preparation)	<p>The OMP was revised during the reporting period to address comments from the Department, and to reflect the delivery of the project across two separate Phases.</p> <p>The revised OMP (v2.0) was submitted to the Minister for approval on 15 March 2023.</p> <p>Minister approval of the OMP had not been received at the time of writing this report, and therefore the OMP was not yet being implemented.</p>

Squadron Energy is Australia's leading renewable energy company. Proudly Australian owned, our mission is to be a driving force in Australia's transition to a clean energy future by providing green power to our customers.

We develop, operate and own renewable energy assets in Australia, with 1.1 gigawatts (GW) of renewable energy in operation and a development pipeline of 20GW.

With proven experience and expertise across the project lifecycle, we work with local communities and our customers to lead the transition to Australia's clean energy future.

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