

s22

From: s22
Sent: Thursday, 16 June 2016 1:07 PM
To: s22
Subject: FW: Request for Environmental History - Crudine Ridge Wind Farm Pty Ltd [SEC=UNCLASSIFIED]

Categories: Copied to SharePoint

Hi s22

Advice below from Compliance, noting that Boco Rock Wind Farm has a different parent company.

Regards, s22

Sent with Good (www.good.com)

-----Original Message-----

From: Compliance
Sent: Thursday, June 16, 2016 11:35 AM AUS Eastern Standard Time
To: s22
Cc: Compliance
Subject: RE: Request for Environmental History - Crudine Ridge Wind Farm Pty Ltd [SEC=UNCLASSIFIED]

Hi s22

I confirm that there have been no major environmental incidents caused by Boco Rock Wind Farm PTY LTD or their parent company EDI Engineering Power Pty Limited.

Regards

s22

s22

Compliance Officer
Phone: s22
Compliance Section
Compliance and Enforcement Branch, Department of the Environment

To see the world in a grain of sand and heaven in a wildflower, hold infinity in the palm of your hand and eternity in an hour

From: s22
Sent: Wednesday, 15 June 2016 4:31 PM
To: Compliance; s22
Cc: s22
Subject: RE: Request for Environmental History - Crudine Ridge Wind Farm Pty Ltd [SEC=UNCLASSIFIED]

Hi s22

Thank you for your advice in relation to Crudine Ridge Wind Farm Pty Ltd, and CWP Renewables Pty Ltd.

If possible could we please have your help in investigating whether the environmental incident at the Boco Rock Wind Farm (as per the web link) is a related consideration in accordance with a Person's environmental history under the EPBC Act? <http://www.planning.nsw.gov.au/~media/Files/DPE/Media-Releases/2016/May/05052016-department-fines-boco-rock-wind-farm-for-disturbing-aboriginal-heritage-sites.ashx>

It would be appreciated if you could check the history of the proponent and parent company's executive officers in relation to environmental matters.

We are trying to finalise the proposed approval decision in the next couple of days, so if you could provide some advice tomorrow or early Friday that would be very much appreciated.

Kind regards

s22

Assessments NSW North Section
Environment Standards Division
Department of the Environment
Ph: s22

From: Compliance
Sent: Tuesday, 31 May 2016 10:38 AM
To: s22
Cc: s22 Compliance; s22
Subject: RE: Request for Environmental History - Crudine Ridge Wind Farm Pty Ltd [SEC=UNCLASSIFIED]

Hi s22

I confirm that there have been no major environmental incidents caused by Crudine Ridge Wind Farm Pty Ltd, Wind Prospect Group or Continental Wind Partners.

Kind regards

s22

ph: 02 6275 s22

A/g Assistant Director
Compliance Section
Compliance and Enforcement Branch, Department of the Environment

From: s22
Sent: Monday, 30 May 2016 12:38 PM
To: Compliance
Cc: s22
Subject: Request for Environmental History - Crudine Ridge Wind Farm Pty Ltd [SEC=UNCLASSIFIED]

Hi Compliance

I am emailing to check a proponent's (and their parent company's) environmental history. The request is to assist in preparing a proposed approval decision for the Crudine Ridge Wind Farm, NSW – EPBC 2011/6206.

The proponent is Crudine Ridge Wind Farm Pty Ltd, ACN: 143 399 160.

Crudine Ridge Wind Farm Pty Ltd is a subsidiary of the Wind Prospect Group and Continental Wind Partners (CWP). Wind Prospect CWP (WPCWP) is a joint venture partnership between the Wind Prospect Group and Continental Wind Partners to develop wind farm projects in New South Wales. ABN 57 127 205 645. Currently known as CWP Renewables Pty Ltd.

Your help is appreciated.

Thanks

s22

Assessments NSW North Section
Environment Standards Division
Department of the Environment
Ph: 02 6275 s22 | s22 @environment.gov.au



Please consider our environment before printing this e-mail

s22

From: Farrant, Kim
Sent: Friday, 5 August 2016 3:25 PM
To: s22
Cc: 'Codina, Martin'; Dean Knudson; Matt Cahill; s22 s22 s22
Subject: RE: File note and requested action: Crudine Ridge [SEC=UNCLASSIFIED]

Thanks s22

We are on to the letter.

Kim

Sent with Good (www.good.com)

-----Original Message-----

From: s22
Sent: Friday, August 05, 2016 03:18 PM AUS Eastern Standard Time
To: Farrant, Kim
Cc: Codina, Martin; Knudson, Dean; Cahill, Matt; s22
Subject: File note and requested action: Crudine Ridge

Kim

Thank you for the verbal brief and subsequent points forwarded on Crudine Ridge Wind Farm this morning.

I have spoken at length with s47F regarding her objections to the project s47F reiterated most of the concerns raised in her letter to the Minister (dated today) and was at times very upset.

s47F seeks a meeting with the Minister, which I did not rule out, but I suggested the following actions occur first (I will take your advice about timing of the delegate decision but, from my lay perspective, it seems appropriate to ensure these steps are exhausted prior to a decision?):

- 1) Minister will respond to s47F letter of today and the concerns in it categorically (s22 requesting an urgent letter in PDMS)
- 2) I will ask the department to prepare a table of concerns raised by s47F and s47F with corresponding actions and responses from the Cwth. This letter will underpin my next conversation with s47F (and the Minister's conversation/meeting should one be required).
- 3) I will ask, as I believe you are already doing, the department to expedite as much as possible their position regarding s47F's concerns over the NSW PAC and contracting issues (appreciate there may be legal-in-confidence considerations here)
- 4) I will ask for feedback from the meeting between the NWFC and the department next week.

s47F expressed disappointment that her and her associates' concerns were not being responded to or 'heard'. I did point out conversations with officials, the letter from Kim and the involvement of the NWFC; and that the election, caretaker and new appointments (local MP and Minister) were facts of life.

That said, I think it is important we very clearly reiterate (or address where we have not) s47F and her associates' concerns, noting many appear to fall outside the Cwth's legal reach.

I made no commitments to s47F other than to ensure her concerns were addressed where possible.

Happy to discuss.

s22

Senior Adviser

Office of the Hon Josh Frydenberg MP | Minister for the Environment and Energy

Ph: 02 6277 s22 | Mob: s22

s22 @environment.gov.au | M140, Parliament House, Canberra, ACT 2600

s22

From: s22
Sent: Monday, 29 August 2016 12:20 PM
To: s22
Subject: FW: QIB - Crudine Ridge Wind Farm proposal [SEC=UNCLASSIFIED]
Attachments: Crudine Ridge QIB - Attachment C - 10 August.docx; Crudine Ridge QIB - Attachment D - 10 August.docx; MS16-001282 Crudine Ridge Final brief - 10 August.docx

Hi s22 and s22

Here is a copy of the recent QIB

s22

From: Farrant, Kim
Sent: Wednesday, 10 August 2016 5:49 PM
To: s22
Cc: de Brouwer, Gordon; Knudson, Dean; Cahill, Matt; s22
Subject: QIB - Crudine Ridge Wind Farm proposal [SEC=UNCLASSIFIED]

Hi s22

As discussed earlier today, please find attached the Crudine Wind Farm QIB and the key attachments.

I have forwarded the brief via PDMS.

Happy to discuss.

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | 📠 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



Copy to

To: Minister for the Environment and Energy (for information)

- Secretary
- Mr Thompson
- Dr Dickson
- Mr Knudson
- Mr Heferen
- Ms Wiley-Smith
- Mr Sullivan
- Mr Cahill

Through: Secretary

QUICK ISSUES BRIEF — CRUDINE RIDGE WIND FARM, NSW (EPBC 2011/6206)

Chief of Staff
Martin Codina

Recommendation:

1. That you note the current status of the proposed development, and concerns raised by local residents.

Noted/Please discuss

Minister:

Date:

Comments:

Clearing Officer:	Kim Farrant	Assistant Secretary Assessments (NSW, ACT) and Fuel Branch/ESD	Ph: 02 6274 s22 Mob: s22
Contact Officer:	s22	Director, NSW Assessment North section	Ph: 02 6274 s22 Mob: s22

Key Points:

2. Crudine Ridge Wind Farm Pty Ltd (the proponent) proposes to construct and operate a new wind farm located approximately 45 km south of Mudgee and 45 km north of Bathurst on the Central Tablelands of NSW. The regional location of the project site is shown at **Attachment A**. The project involves construction of up to 77 wind turbines, and associated operating infrastructure. The location of proposed winds turbines in relation to residences is shown at **Attachment B**.
3. The NSW environmental approval process for this project has been completed. The remaining step is the Commonwealth's final approval decision under the *Environment Protection and Biodiversity Conservation Act 1999*. A chronology is at **Attachment C**.
4. Two residents s47F and s47F have advised they are seeking legal advice about a 2014 decision by NSW to change the project's assessment pathway under the NSW *Environmental Planning and Assessment Act 1979* and the NSW Planning Assessment Commission decision-making process.
5. The Department is also investigating this matter, which may delay the final approval decision beyond August 2016.
6. s47F and s47F have made a number of requests to meet with you, and previously with Minister Hunt, before the final decision is made. They are concerned about the impact of the development on various species including some, such as the Small Purple Pea, that are protected under the EPBC Act.
7. The matters of national environmental significance affected by this project are at **Attachment D**.

Attachments

- A:** Regional location of the project site
- B:** Location of proposed winds turbines (Option B) in relation to residences
- C:** Chronology
- D** Matters of national environmental significance affected by this project

Crudine Ridge Wind Farm Chronology

- | | |
|------------------|---|
| 29 November 2011 | Referral of proposed action by proponent |
| 27 February 2012 | A delegate made the referral and assessment approach decision under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) |
| 2 May 2012 | Following a public consultation process, the Koala is listed as a threatened species by the then Department of Sustainability, Environment, Water, Population and Communities |
| 11 February 2014 | NSW changes the approval pathway under the NSW <i>Environmental Planning and Assessment Act 1979</i> |
| 14 July 2016 | A delegate made the proposed approval decision under the EPBC Act |
| 15 July 2016 | Final decision under the EPBC Act due |
| 28 July 2016 | The 10 business day consultation period with Commonwealth Ministers and the proponent on the proposed decision concludes |
| August 2016 | Final approval decision anticipated to be made |

**National matters of environmental significance affected by the proposed
Crudine Wind Farm**

- The project will have a significant impact on Box Gum Woodland, Regent Honeyeater and the Swift Parrot. Offsets for the Box Gum Woodland have been identified by the proponent and achieve 183 per cent of those required.
- The proponent has also achieved offsets in excess of 500 per cent of those required for impacts on foraging and nesting habitat for the Regent Honeyeater and Swift Parrot. Some of the additional offsets were needed as part of the State requirements, but the total exceeds the combined Commonwealth and State requirements.
- Opponents of the wind farm are also concerned about the presence of Koalas and Wedge-tailed eagles on the proposed project site. Koalas were not considered in the assessment of the project as this species was not listed under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) at the time of the referral decision. Wedge-tailed eagles are not protected under the EPBC Act.



Copy to:
Secretary
Mr Thompson
Dr Dickson
Mr Knudson
Mr Heferen
Ms Wiley-Smith
Mr Sullivan
Mr Cahill
Chief of Staff
Adviser

To: Minister for the Environment and Energy (for information)
Through: Secretary
CRUDINE RIDGE WIND FARM, NSW (EPBC 2011/6206)

Recommendation:
1. That you note the current status of the proposed development, and concerns raised by local residents.
Noted/Please discuss
Minister: _____ Date: 4/10/16
Comments: Noted by the Minister's Office

Noted

Clearing Officer: on 10/08/2016	Kim Farrant	Assistant Secretary Assessments (NSW, ACT) and Fuel Branch/ESD	Ph: 02 6274 s22 Mob: s22
Contact Officer:	s22	Director, NSW Assessment North section	Ph: 02 6274 s22 Mob: s22

Key Points:

1. Crudine Ridge Wind Farm Pty Ltd (the proponent) proposes to construct and operate a new wind farm located approximately 45 km south of Mudgee and 45 km north of Bathurst on the Central Tablelands of NSW. The regional location of the project site is shown at **Attachment A**. The project involves construction of up to 77 wind turbines, and associated operating infrastructure. The location of proposed winds turbines in relation to residences is shown at **Attachment B**.
2. The NSW environmental approval process for this project has been completed. The remaining step is the Commonwealth's final approval decision under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). A chronology is at **Attachment C**.
3. Two residents (s47F and s47F) have advised they are seeking legal advice about a 2014 decision by NSW to change the project's assessment pathway under the NSW *Environmental Planning and Assessment Act 1979* and the NSW Planning Assessment Commission decision-making process.
4. The Department is also investigating this matter, which may delay the final approval decision beyond August 2016.
5. s47F and s47F have made a number of requests to meet with you, and previously with Minister Hunt, before the final decision is made. They are concerned about the impact of the development on various species including some, such as the Small Purple Pea, that are protected under the EPBC Act.
6. The matters of national environmental significance affected by this project are at **Attachment D**.

Attachments

- A:** Regional location of the project site
- B:** Location of proposed winds turbines (Option B) in relation to residences
- C:** Chronology
- D:** Matters of national environmental significance affected by this project

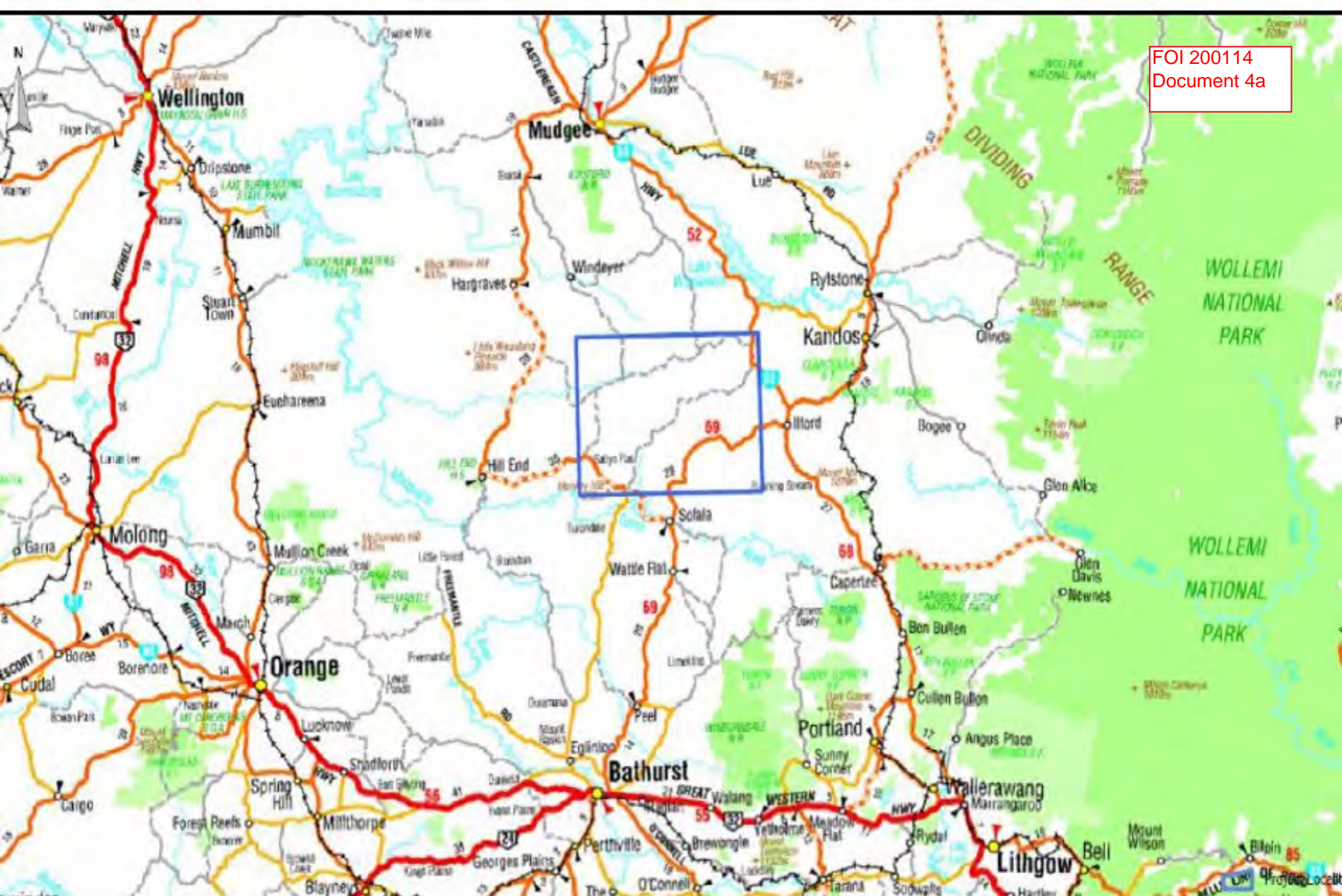
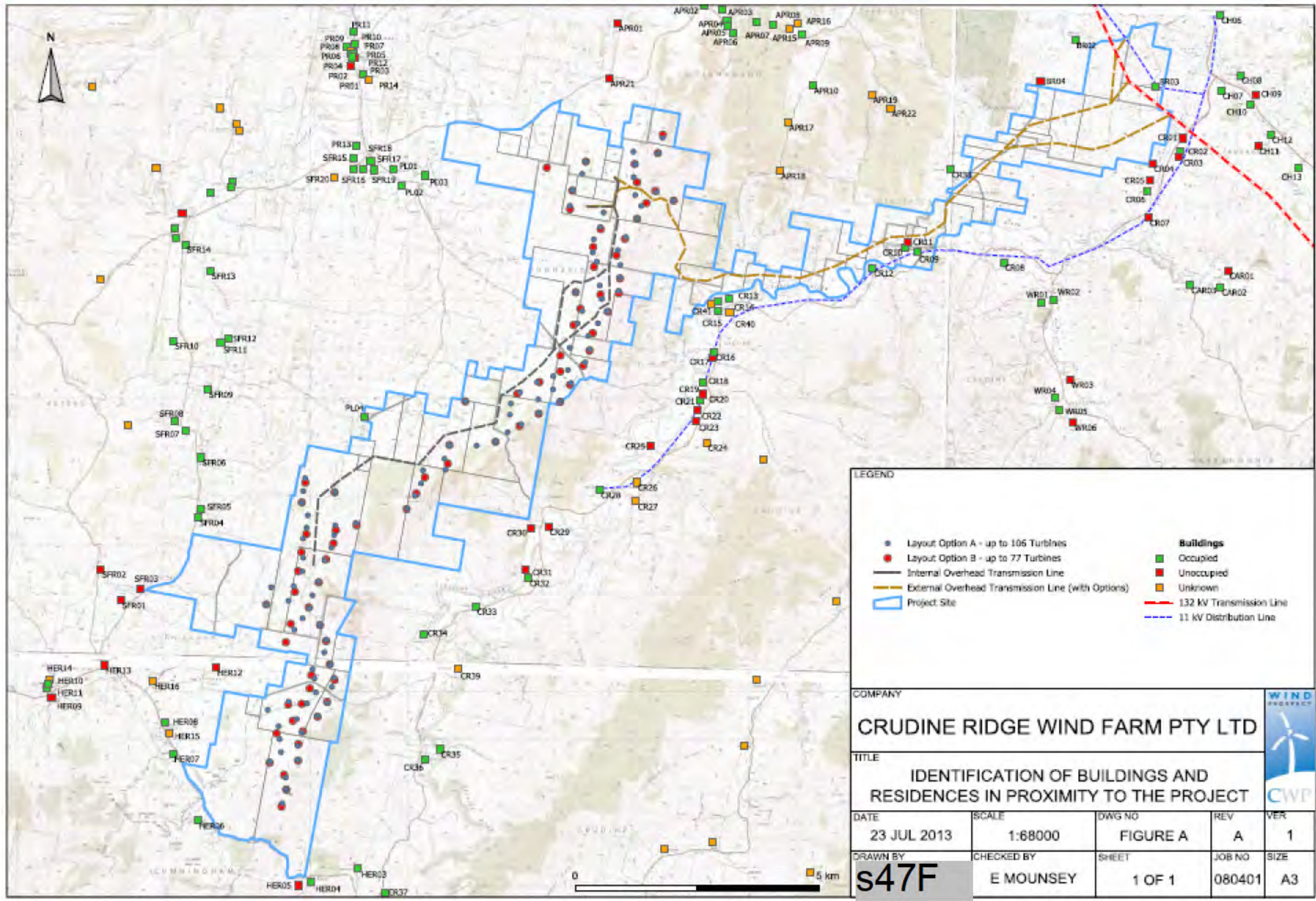


Figure 1: Regional Location

FIGURE A: IDENTIFICATION OF BUILDINGS AND RESIDENCES IN PROXIMITY TO THE PROJECT

2013





REJECTED BY MINISTER'S OFFICE

THE HON JOSH FRYDENBERG MP
MINISTER FOR THE ENVIRONMENT AND ENERGY

MC16-013551

Mr Andrew Gee MP
Member for Calare
1/179A Anson Street
ORANGE NSW 2800

Change

See over
page →


Dear Mr Gee

I refer to your letter concerning the proposed Crudine Ridge Wind Farm.

The Australian Government (the Government) considers that a sustainable renewable energy industry (including wind) has an important role to play in reducing Australia's greenhouse gas emissions. Development approvals for wind farms are, however, primarily matters for state governments.

The Government does have a role in regulating proposals relating to matters protected under national environmental law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This includes certain defined matters of national environmental significance including threatened species and communities, migratory species, wetlands of international importance and World and National Heritage sites.

For the Crudine Ridge Wind Farm proposal, a referral decision was made on 27 February 2012 under section 75 of the EPBC Act that the proposal was a controlled action. A controlled action decision means that a proposal requires assessment and approval under the EPBC Act before it can proceed. Matters of national environmental significance identified as relevant for the assessment were listed threatened species and communities (sections 18 and 18A of the EPBC Act) and listed migratory species (sections 20 and 20A of the EPBC Act).

I note the concerns brought to your attention about potential impacts from the proposed wind farm on koalas. Section 158A of the EPBC Act mandates that any listing events (including a species becoming a listed threatened species) subsequent to a controlled action decision, cannot be considered a relevant matter for the purposes of an approval decision. As such, the koala cannot be considered for the purposes of the EPBC Act approval decision on the Crudine Ridge Wind Farm proposal because it was not a listed threatened species at the time the referral decision was made.

I understand that extensive consultation occurred as part of the state assessment process, and numerous public submissions were received during the Commonwealth assessment phase. Issues raised by your constituents, where they relate to matters of national environmental significance that are relevant to the Crudine Ridge Wind Farm proposal, or social and economic matters, will be considered as part of the final decision on whether or not to approve the proposal under the EPBC Act.

I am planning to visit the Crudine Ridge Wind Farm site ~~in early November 2016~~ to meet with the proponent and local landholders, to engage with a range of views including those in support of the project and those opposed. I appreciate your advice about potential meetings to schedule as part of the visit. ✕

Thank you for bringing **s47F** concerns to my attention.

Yours sincerely



JOSH FRYDENBERG

s22

From: Smith, Mike
Sent: Friday, 17 February 2017 12:17 PM
To: s22
Cc: s22
Subject: FW: Email to MO [SEC=UNCLASSIFIED]
Attachments: 2011-6206-MS16-002249-CWP letter Jan 2017 -Att M.pdf

Gday s22 ,

Here is some key points you were discussing with Matt earlier today. We will be calling you shortly to walk through.

Cheers, Mike

Mike Smith
Ag Assistant Secretary
Assessments and Fuels Branch
ESD
Department of the Environment and Energy

(02) 6274 s22

From: s22
Sent: Friday, 17 February 2017 11:50 AM
To: Smith, Mike s22
Subject: FW: Email to MO [SEC=UNCLASSIFIED]

Key Points:

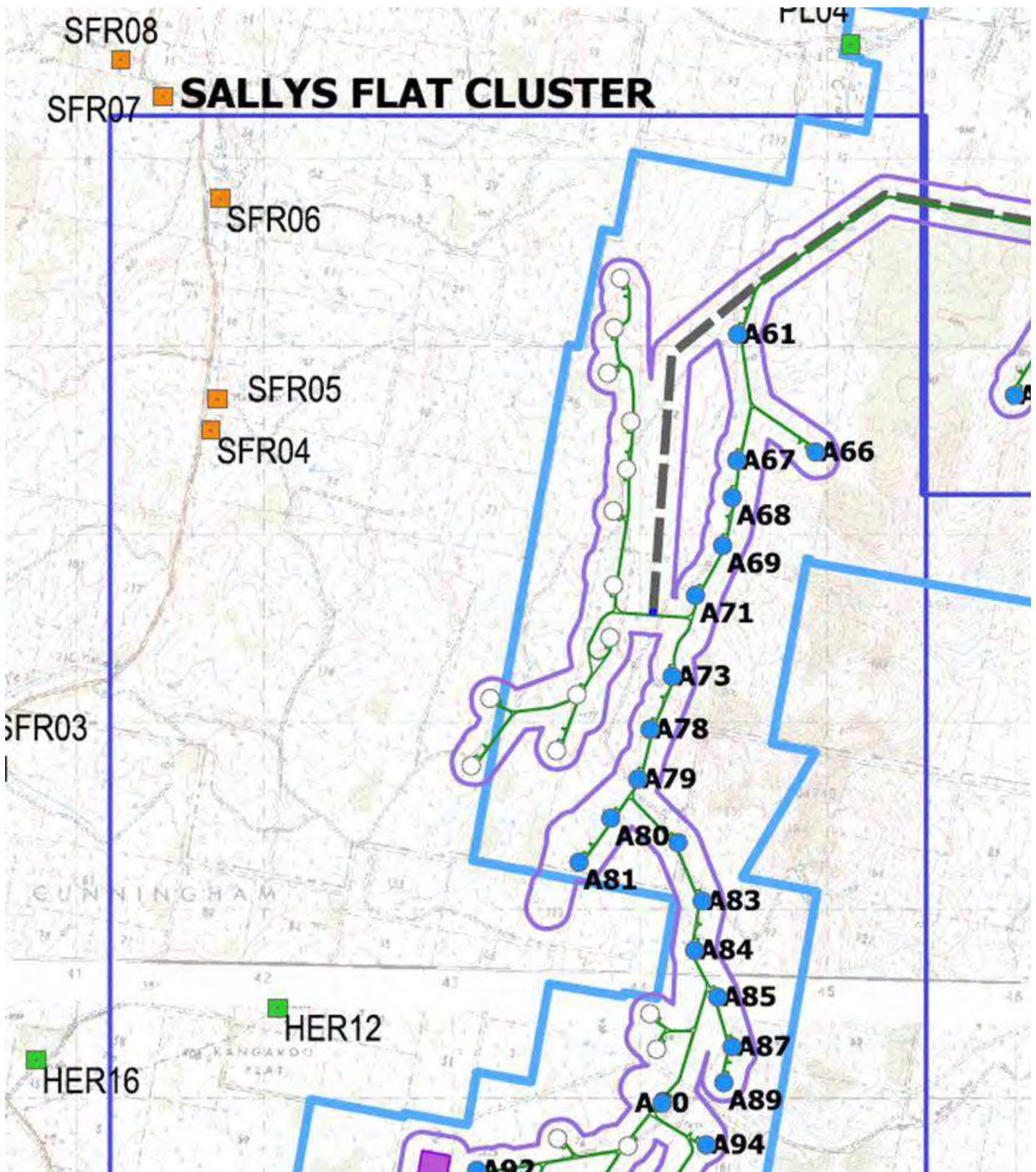
- Page 7 EPBC Referral part 1 (available publicly on the Department's website since 29 November 2011 states:
"It is not yet known which model of wind turbine will be used for the Project as final turbine selection will occur through a competitive tender process pending Consent. However, in terms of generation capacity, the wind turbines currently available in the market place that are under consideration for this Project vary in the range from 1.5 and 3.4 MW."
- The 135 megawatts is the limit of the transmission line capacity available to the proponent. This serves as a cap on transmission. Matt Cahill has called the proponent's CEO Ed Mounsey to confirm this.
- We will call you with the assessment officers to ensure you have all the documents available to you and we will put the brief on PDMS this afternoon.

On 17 January 2017, the proponent proposed a reduced wind turbine layout of 38 turbines for consideration ([Attached letter](#)).

- a. The 38 turbine layout represents over a 50% reduction in turbine numbers. The proponent has not increased the size of the turbines from the original referral in order to achieve the reduction. The turbine height is limited to 160 metres by condition 1a of the [EPBC Act approval conditions](#) which draws in the NSW Development Consent SSD-6697 administrative condition 6: '*No wind turbines may be greater than 160 metres in height (measured from above ground level to the blade tip).*'

- b. The proponent is therefore required to construct turbines with a maximum tip height no greater than 160 metres in height. This is the height which has been publicly proposed by the proponent throughout the assessment. The EPBC Act referral, which has been publicly available on the Department's website since 29 November 2011 states the maximum blade tip height will be 160 metres +/- 5 metres. The public consultation documentation made available through NSW Environmental Assessment (for example volume 1 of the Environmental Assessment, December 2012), states throughout, the turbine height will be 160 metres.
- c. The 38 turbine layout results in less visible turbines from some locations, for example, on 15 December 2016 you visited a local residence, indicated as SFR05 on the map below. The modelled visual effect of fewer visible turbines on this and the neighbouring residence (SFR04) are illustrated at Attachments 2 and 3 of the proponent's attached letter. A photographic representation of this effect at the neighbouring residence (which is approximately less than 300 metres south of the residence you visited), is on the last page of the letter. All visual representations presented in the letter are based on a maximum turbine height of 160 metres.
- d. There are two new conditions in the approval to cement the 38 turbine layout:
 - i. **Condition 5** The person taking the action must only construct, operate, and replace or upgrade, as necessary, up to 38 wind turbines.
 - ii. **Condition 6** The person taking the action must not micro-site any wind turbines at locations A61, A66, A67, A68, A69, A71, A73, A78 as indicated on Schedule 2 of this approval.

Detail - Map of Residences



Regards
 s22
 Assistant Director
 NSW Assessments North Section
 Department of the Environment and Energy
 GPO Box 787
 Canberra ACT 2601
 P(02) 6275 s22
 s22 @environment.gov.au



17 January 2017

Delivering Energy. Powering Communities.

Ms Kim Farrant
Assistant Secretary
Assessments (NSW, ACT) and Fuel Branch
Department of the Environment and Energy
Canberra ACT 2601

Dear Ms Farrant,

Crudine Ridge Wind Farm

Further to our recent correspondence regarding the Crudine Ridge Wind Farm (the Project), this letter provides a response to issues which have been raised in our discussions. Attached to the letter are a series of wireframes and photomontages which have been provided to support your review of the Project under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Energy Yield

Energy yield is a key consideration during Project design because it influences revenue and therefore energy prices. The 77 wind turbine locations approved under the NSW layout allow flexibility to select and construct the highest performing sites for available wind turbine technology in the market, in doing so providing options to improve the Levelized Cost of Energy (LCOE) and reduce electricity prices for consumers.

Using the current preferred wind turbine model for the site, an optimised layout of 39 wind turbines has been developed with the aim of maximising generation while also balancing the socio-economic and environmental concerns. This layout was presented to the Department of the Environment and Energy, and Minister Frydenberg, on December 15 in Bathurst.

At the request of the Department we have analysed a layout comprising 38 wind turbines. While this is a sub-optimal layout, the impact to the Project LCOE is marginal. However when considering this in light of further socio-economic and environmental gains through accommodating the concerns of neighbouring residences, we believe this is a good outcome and balances the range of interests in the community.

Community Consultation

Public consultation for the Project commenced in March 2011 with extensive consultation targeting all interested and potentially affected parties. This is a critical process for any development, and the feedback generated for this Project has been considered throughout the design process.

Consultation has involved:

- face-to-face meetings with neighbouring residents within a 5 km radius of the Project;
- public open days held in Pyramul;

- written correspondence with stakeholders including neighbours, local, state and national groups and agencies;
- ongoing consultation meetings with various stakeholders throughout the project planning and design stages;
- public opinion surveys;
- presentations to Council; and
- media including newsletters, the Project website, media releases and radio interviews.

A Community Consultative Committee (CCC) was established in 2013 and six meetings have been held involving self-nominated community representatives, members of Council and host landowners. The CCC includes:

- CWP Renewables representatives
- s47F Host landowner
- s47F Host landowner
- s47F Host landowner
- Max Price, Community representative
- Vera Tomlinson, Community representative
- s47F Community representative,
- Owain Rowland-Jones, Community representative
- Esme Martens, Community representative (not Council)
- Alex Karavas, Councillor, Bathurst Regional Council
- Delegates of Bathurst and Mid-Western Regional Councils
- s47F Councillor, Mid-Western Regional Council

The CCC is chaired by the independent chair Lisa Andrews and minutes are available at www.crudineridgewindfarm.com.au/community

A website has been maintained since the Project's inception: www.crudineridgewindfarm.com.au containing relevant and up to date information, and the Project Manager's contact details. The Project continues to maintain an 'open door' policy for consultation so that stakeholders can find out information about the Project at any stage of the development.

Socio-Economic Benefits

We have been working closely with local landowners since 2008 to develop a Project which is in the interests of the local community. The Project will provide direct payments to 17 host landowners and their families, for over 25 years, providing much needed income to support the rural economy and community. This contribution is important to sustain and support local farms, providing a secure income which is not affected by weather, allowing landowners to employ staff to work the land, and ultimately reducing the debt burden of the community.

At an installed capacity of 135 MW, the Project will contribute up to \$168,000 each year to community funds for the life of the Project. Funding requests are already being received from local community groups for programs such as:

- Lifeskills Plus Disability Services website partnership, Mudgee NSW
- Rylstone Health One aqua fitness program, Rylstone NSW
- Cementa Arts Festival sponsorship, Kandos NSW

The community funds will be administered in cooperation with Mid-Western Regional Council and Bathurst City Council, contributing directly to local organisations providing much needed infrastructure and programs which benefit the whole community.

Importantly, construction of the Project will create approximately 200 jobs, with an investment of around \$300 million. Over 100 businesses have registered on the contractor database, with around 60 % of contractors from the local area. This demonstrates strong local support for investment in construction and infrastructure services in central west NSW, to stimulate the local economy.

Visual Amenity

The Project has been subject to extensive layout reviews to accommodate the visual amenity of the neighbouring residents and surrounding area. This process was assessed and addressed by the NSW Department of Planning and Environment which concluded that the Project was designed *in a manner that achieves a reasonable balance between maximising the efficiency of the wind resource development and minimising the potential impacts on surrounding land users and the environment.*

Additionally, the NSW Planning Assessment Commission (PAC) conducted a site visit, met with opponents to the Project in the Sally's Flat and Pyramul areas, met with Mid-Western Regional and Bathurst City Council and held a Public Meeting at Pyramul Hall to hear the concerns of the community. After this independent consultation using the Commonwealth accredited process, the PAC determined that the Project be approved.

Since receiving PAC approval, CWP Renewables has increased consultation efforts to inform neighbours of their entitlements under the NSW conditions of approval. We have contacted all residences listed in the approvals, held follow up meetings in person and provided maps and wireframes to neighbours where requested. Neighbour Agreements have been discussed with many parties and template agreements provided to those neighbours interested. We are working with these neighbours to develop screening mitigations or discuss acquisition where required under the NSW approval. A letter which we recently sent to the National Wind Farm Commissioner (Attachment 1), provides further detail on the consultation undertaken with neighbours, particularly in relation to visual impacts.

In reference specifically to residences SFR04 and SFR05 on Sally's Flat Road, we have produced wireframe analyses of the approved 77 turbine layout, and two optional layouts of 39 and 38 turbines respectively (See Attachments 2 and 3). Wireframes provide a worst-case evaluation of visual impacts, using only contour information to account for visual screening, with no consideration for local vegetation, buildings or other structures which can also shield the view from a residence. As such, we have additionally prepared photomontages (Attachment 4) for a location at the entrance to SFR04, providing a rendering of the potential views from that location.

Table 1 below describes the proximity of SFR04 and SFR05 to turbines under the various layouts, and demonstrates that reducing the layouts would significantly reduce the impacts of the Project on these two residences.

Table 1: Proximity to turbines at SFR04 and SFR05 for various layouts

Residence	Number of turbines in layout	Distance to nearest turbine	Number of turbines within 4km
SFR04	77	2.73 km	14
SFR04	39	2.73 km	3
SFR04	38	2.93 km	2
SFR05	77	2.75 km	14
SFR05	39	2.75 km	3
SFR05	38	3.02 km	2

Koalas and Koala Habitat

As identified in previous correspondence with the Department, approximately 15.77 ha of habitat which could be suitable for the Koala could be impacted under a 77 wind turbine layout. With a reduced layout of 38 wind turbines, these impacts would be notably reduced, and impacts further avoided using micro siting of turbines and roads. Regardless of these avoidance measures, the Project has identified and will establish a considerable offset which includes 674 ha of potential koala habitat, and implement additional measures such as construction management and partnerships with conservation and research organisations (described below). This approach will provide a net benefit to the local Koala population.

Environmental Offset

The Project will protect and restore over 674 ha of suitable Koala habitat near Hill End Road in the Sally's Flat area. The offset will comprise two vegetation types which are known to provide Koala habitat in the region. The property adjoins the Turon River and is well connected to other suitable habitat. The offset will be secured in perpetuity using the NSW BioBanking scheme. The Koala habitat types that will be protected and restored are presented in the table below.

Table 2: Koala habitat type and condition at the proposed offset property

MNES	Area (ha)
Red Stringybark-Scribbly Gum-Red Box-Long-leaved Box shrub-tussock grass open forest, Moderate to Good (Woodland)	299.82
Red Stringybark-Scribbly Gum-Red Box-Long-leaved Box shrub-tussock grass open forest, Moderate to Good (Regrowth/native pasture)	19.7
Red Stringybark-Scribbly Gum-Red Box-Long-leaved Box shrub-tussock grass open forest, Moderate to Good (Derived Native Grassland with scattered regrowth)	71.49
White Box-Blakely's Red Gum-Yellow Box grassy woodland, Moderate to Good (Woodland)	73.52
White Box-Blakely's Red Gum-Yellow Box grassy woodland, Moderate to Good (Derived Native Grassland with scattered regrowth)	209.8
Total	674.33

Construction Management

To reduce the likelihood of impacts to Koalas during construction, the Project will develop and implement an Environmental Management System containing a Koala Management Protocol. The protocol will define procedures for micro-siting of turbines, access tracks and other infrastructure to minimise the clearing of vegetation in Koala habitat where feasible. Speed limits will be established and enforced for construction vehicles along Aarons Pass Road and within the project site, to prevent collisions with fauna including Koala. Additionally, the Project will adopt the Code of Practice for Injured, Sick and Orphaned Koalas (2011 State of NSW and Office of Environment and Heritage), for any Koalas injured on site or during vehicle transport.

Conservation and Research Institutions

The Project will establish relationships with local Koala conservation and rehabilitation organisations, such as WIRES and the Australian Koala Foundation, to review the Koala Management Protocol and guide the implementation of the *Code of Practice for Injured, Sick and Orphaned Koalas* (2011 State of NSW and Office of Environment and Heritage). Additionally, the Project will engage with research institutions to utilise the offset site for the research and monitoring of the Koala population in the Sallys Flat and Turon River catchment areas.

With these commitments in place, we are certain that the Project will provide a significant net benefit to the security and longevity of Koala populations in the Central West region of NSW.

We trust that this letter provides the information you require to approve this important energy Project, and we look forward to your timely correspondence.

Yours sincerely,

s47F

Ed Mounsey

Chief Operating Officer

M: s47F

s47F

Attachment 1: Recent Correspondence with the National Wind Farm Commissioner

14 November 2016

Delivering Energy. Powering Communities.

Mr Andrew Dyer
National Wind Farm Commissioner
PO Box 24434
Melbourne VIC 3001

Dear Mr Dyer,

RE: Crudine Ridge Wind Farm

The proposed Crudine Ridge Wind Farm (CRWF) was approved by the NSW Planning Assessment Commission (PAC) on 10 May, 2016. On 14 July 2016, recommended approval was provided by the Commonwealth Department of Energy and the Environment, however five months on, final approval has not yet been provided. Since 2008 over \$4.7 million has been invested into the project that has the potential to provide over 400 GWh of clean renewable energy generation towards the Federal RET. Moreover, the project is located in a region that is experiencing a mining downturn and therefore offers individuals and companies established within the region an opportunity to diversify their income stream.

This correspondence follows two previous letters which have been shared with Minister Freydenberg seeking a conclusion to the pending status of the Commonwealth approval. However, specifically, this letter is in response to our conversation on 10 November, 2016, and your request for an outline of the steps which have been taken to date to consult with neighbours to the Project since the NSW PAC granted approval in May.

1. Letters have been sent to the owners of all residences listed as high, moderate and low impact residences in the Development Consent (Schedule 3; Conditions 1 and 2), advising them of their entitlements under the conditions and offering to meet in person.
2. Where requested, follow-up meetings have occurred.
3. Further correspondence addressing questions and concerns has been undertaken and several conversations relating to visual and noise impacts have been held.

Details of correspondence with neighbours in relation to the Development Consent is provided in Table 1 (Involved landowners are excluded from this table). A map of the project, identifying all residences in the table is also attached. The relevant consent conditions are provided in Attachment A.

The Development Consent also requires all owners of dwellings within 4 km of the project to be contacted prior to the commencement of construction. This activity will happen in due course upon finalisation of the optimised layout which in turn is wholly conditional on the Commonwealth approval to proceed; however, it should be noted with reference to Chapter 6 of the project Environmental Assessment and subsequent activities as outlined in the project Preferred Project Report that consultation and information has been extensively undertaken across the project locality.

If you require any further information, please let me know.

Yours sincerely,

s47F

Ed Mounsey

Chief Operating Officer

M: s47F

s47F

Table 1: Correspondence with neighbouring residences

House ID	Distance to nearest turbine^ (m)	Rating in Approval	Process Letter sent	Notes
CR15*	2080	High	18/5/2016	S47F
CR41*	1914	High	18/5/2016	
CR18*	2428	High	18/5/2016	
CR19	2411	Moderate		
CR24*	2986	High	18/5/2016	
CR33*	2452	High	18/5/2016	
CR34*	1992	High	18/5/2016	
CR39	2553	-	12/7/2016	
CR27	2548	Moderate	30/6/2016	
CR28	1993	Moderate	30/6/2016	
CR35	2491	Moderate	30/6/2016	
CR36	2313	Moderate	30/6/2016	
CR37	2787	Moderate	30/6/2016	
SFR04	2727	Moderate	30/6/2016	
SFR05	2751	Moderate	30/6/2016	
SFR08	3596	Moderate	30/6/2016	
CR26	2283	Low	30/6/2016	
PL01	3695	Low	30/6/2016	

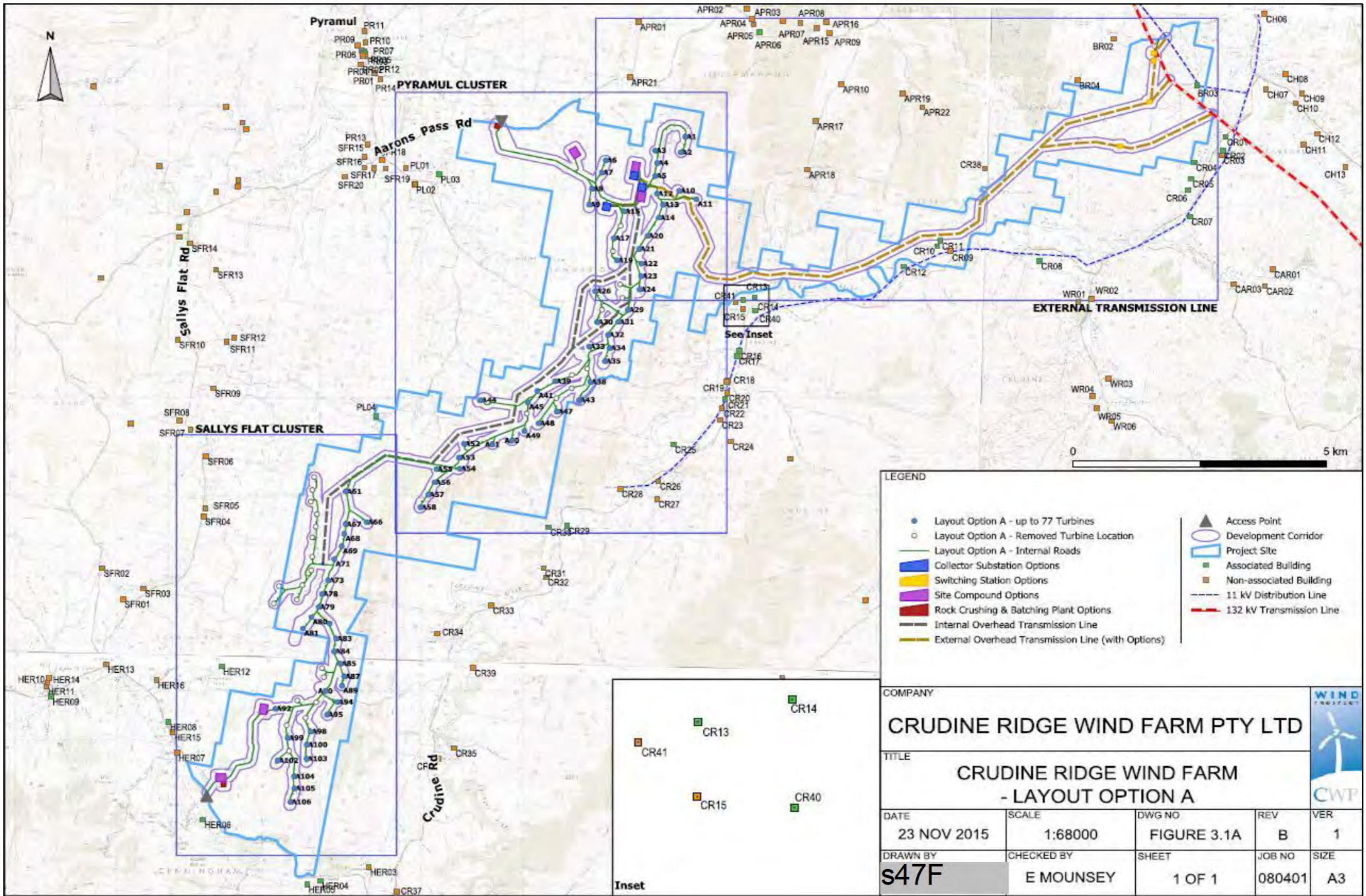
House ID	Distance to nearest turbine^ (m)	Rating in Approval	Process Letter sent	Notes
SFR10	4545	Low	30/6/2016	S47F
SFR11	3860	Low	30/6/2016	
SFR12	3847	Low	30/6/2016	
SFR13	5214	Low	30/6/2016	
SFR14	5940	Low	30/6/2016	
SFR15	4542	Low	30/6/2016	
SFR16	4498	Low	30/6/2016	
SFR17	4315	Low		
SFR18	4182	Low		
SFR19	4086	Low		
SFR20	4857	Low		
HER01	2793	-	15/9/2016	
HER03	2040	-	15/9/2016	
HER05	1721	-	-	
HER07	1994	-	12/7/2016	
HER13	3462	-	-	
SFR03	3256	-	12/7/2016	
SFR06	2847	-	-	

**Residence entitled to voluntary acquisition under Schedule 3; Condition 1.*

^Distances relate to the approved layout; distances to the optimised layout are not available at this stage.

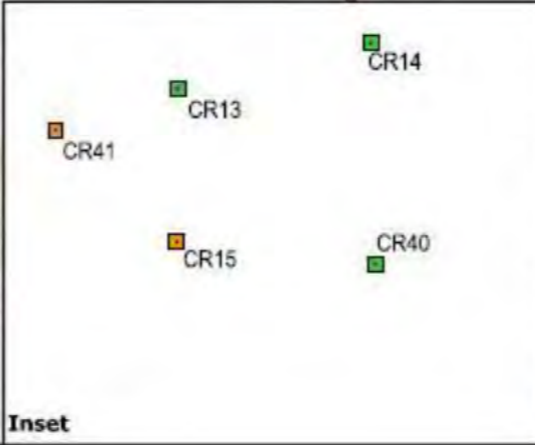
All residences in the table are entitled to visual mitigation measures under Schedule 3; Condition 2.

Additional residences are expected to fall within the 4km zone of the nearest turbine, however these residences will be contacted once an optimised layout is determined.



LEGEND

- Layout Option A - up to 77 Turbines
- Layout Option A - Removed Turbine Location
- Layout Option A - Internal Roads
- Collector Substation Options
- Switching Station Options
- Site Compound Options
- Rock Crushing & Batching Plant Options
- Internal Overhead Transmission Line
- External Overhead Transmission Line (with Options)
- ▲ Access Point
- Development Corridor
- Associated Building
- Non-associated Building
- 11 kV Distribution Line
- 132 kV Transmission Line



COMPANY				
CRUDINE RIDGE WIND FARM PTY LTD				
TITLE				
CRUDINE RIDGE WIND FARM - LAYOUT OPTION A				
DATE	SCALE	DWG NO	REV	VER
23 NOV 2015	1:68000	FIGURE 3.1A	B	1
DRAWN BY	CHECKED BY	SHEET	JOB NO	SIZE
s47F	E MOUNSEY	1 OF 1	080401	A3



SCHEDULE 3 ENVIRONMENTAL CONDITIONS – GENERAL

ACQUISITION UPON REQUEST

1. For a period of 5 years from the commencement of construction of the applicable cluster, the owner(s) of the land listed in Table 1 may request the Applicant to acquire their land. Upon receiving a written request from these owner(s), the Applicant shall acquire the land in accordance with the procedures in conditions 2 and 3 of schedule 4.

However, this condition does not apply if the Applicant has an agreement with the owner(s) of the relevant land in regard to visual impacts associated with the development, and the Applicant has advised the Department in writing of the terms of this agreement.

Table 1: Land subject to acquisition upon request

Acquisition Basis	Land	Cluster
Visual Impact	CR33, CR34	Sallys Flat (Turbines A61 to A106)
Visual Impact	CR15, CR18, CR24, CR41	Pyramul (Turbines A1 to A58)

Note: To identify the land, clusters and wind turbines referred to in Table 1, see the figures in Appendix 2.

VISUAL

Visual Impact Mitigation

2. For a period of 5 years from the commencement of construction of the development the owner(s) of:
- the land listed in Table 1 (unless the landowner has requested acquisition or has an agreement with the Applicant in regard to visual impacts);
 - the residences listed in Table 2; or
 - any other non-associated residence within 4 kilometres of any wind turbine,
- may request additional visual mitigation measures at their residence. Upon receiving a written request from these owner(s), the Applicant shall implement visual impact mitigation measures (such as landscaping, vegetation screening, provision of awnings/blinds) at the residence (including its curtilage) in consultation with the landowner.

Table 2: Visual impact mitigation upon request

Residence	Characterisation of impact
CR19, CR27, CR28, CR35, CR36, CR37, SFR04, SFR05, SFR08	Moderate
SFR10, SFR11, SFR12, SFR13, SFR14, SFR15, SFR16, SFR17, SFR18, SFR19, SFR20, PL01, CR26	Low

These mitigation measures must be reasonable and feasible, directed towards reducing the visual impacts of the wind turbines on the residence (including its curtilage), and commensurate with the level of visual impact.

The mitigation measures must be implemented within 12 months of receiving the written request, unless the Secretary agrees otherwise.

If the Applicant and the owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Secretary for resolution.

Notes:

- To identify the residences referred to in Table 2, see the figures in Appendix 2.
- To avoid any doubt, the visual impact mitigation measures must be aimed at reducing the visibility of the wind turbines from the residence and its curtilage. Mitigation measures are not required to be implemented to reduce the visibility of wind turbines from other locations on the property.
- In some cases, mitigation measures may not be warranted as the wind turbines would not be visible from the residence and its curtilage.
- The identification of appropriate visual impact mitigation measures will be easier following the construction of the wind turbines. While landowners may ask for the implementation of visual impact mitigation measures shortly after the commencement of construction, they should consider the merits of delaying this request until the wind turbines are visible from their residence.

SCHEDULE 4 ADDITIONAL PROCEDURES

NOTIFICATION OF LANDOWNERS

1. Within 1 month of the commencement of development under this consent, the Applicant shall notify in writing the owners of:
 - (a) the land listed in Table 1 of schedule 3 that they have the right to require the Applicant to acquire their land in accordance with the procedures in conditions 2 and 3 below at any time within 5 years after the commencement of construction of the applicable cluster; and
 - (b) the land/residences listed in Table 1 and Table 2 of schedule 3, and any other non-associated residence within 4 kilometres of any wind turbine, that they have the right to request the Applicant to implement visual impact mitigation measures at their residence (including its curtilage) at any time within 5 years following the commencement of construction of the development.

In addition to the notification requirements in 1(a) above, within 1 month of the commencement of construction of the applicable cluster under this consent, the Applicant shall re-notify in writing the owners of the land listed in Table 1 of schedule 3 that construction of the applicable cluster has commenced.

LAND ACQUISITION

2. Within 3 months of receiving a written request from a landowner with acquisition rights, the Applicant shall make a binding written offer to the landowner based on:
 - (a) the current market value of the landowner's interest in the land at the date of this written request, as if the land was unaffected by the development, having regard to the:
 - existing and permissible use of the land, in accordance with the applicable planning instruments at the date of the written request; and
 - presence of improvements on the land and/or any approved building or structure which has been physically commenced at the date of the landowner's written request, and is due to be completed subsequent to that date, but excluding any improvements or reasonable costs that have resulted from the implementation of the visual impact mitigation measures in condition 2 of schedule 3;
 - (b) the reasonable costs associated with:
 - relocating within the Bathurst or Mid-Western Regional local government areas, or to any other local government area determined by the Secretary; and
 - obtaining legal advice and expert advice for determining the acquisition price of the land, and the terms upon which it is to be acquired; and
 - (c) reasonable compensation for any disturbance caused by the land acquisition process.

However, if at the end of this period, the Applicant and landowner cannot agree on the acquisition price of the land and/or the terms upon which the land is to be acquired, then either party may refer the matter to the Secretary for resolution.

Upon receiving such a request, the Secretary shall request the President of the NSW Division of the Australian Property Institute to appoint a qualified independent valuer to:

- consider submissions from both parties;
- determine a fair and reasonable acquisition price for the land and/or the terms upon which the land is to be acquired, having regard to the matters referred to in paragraphs (a)-(c) above;
- prepare a detailed report setting out the reasons for any determination; and
- provide a copy of the report to both parties.

Within 14 days of receiving the independent valuer's report, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the independent valuer's determination.

However, if either party disputes the independent valuer's determination, then within 14 days of receiving the independent valuer's report, they may refer the matter to the Secretary for review. Any request for a review must be accompanied by a detailed report setting out the reasons why the party disputes the independent valuer's determination. Following consultation with the independent valuer and both parties, the Secretary will determine a fair and reasonable acquisition price for the land, having regard to the matters referred to in paragraphs (a)-(c) above, the independent valuer's report, the detailed report of the party that disputes the independent valuer's determination, whether an adjustment to the market value of the land since the independent valuation was completed is warranted and any other relevant submissions.

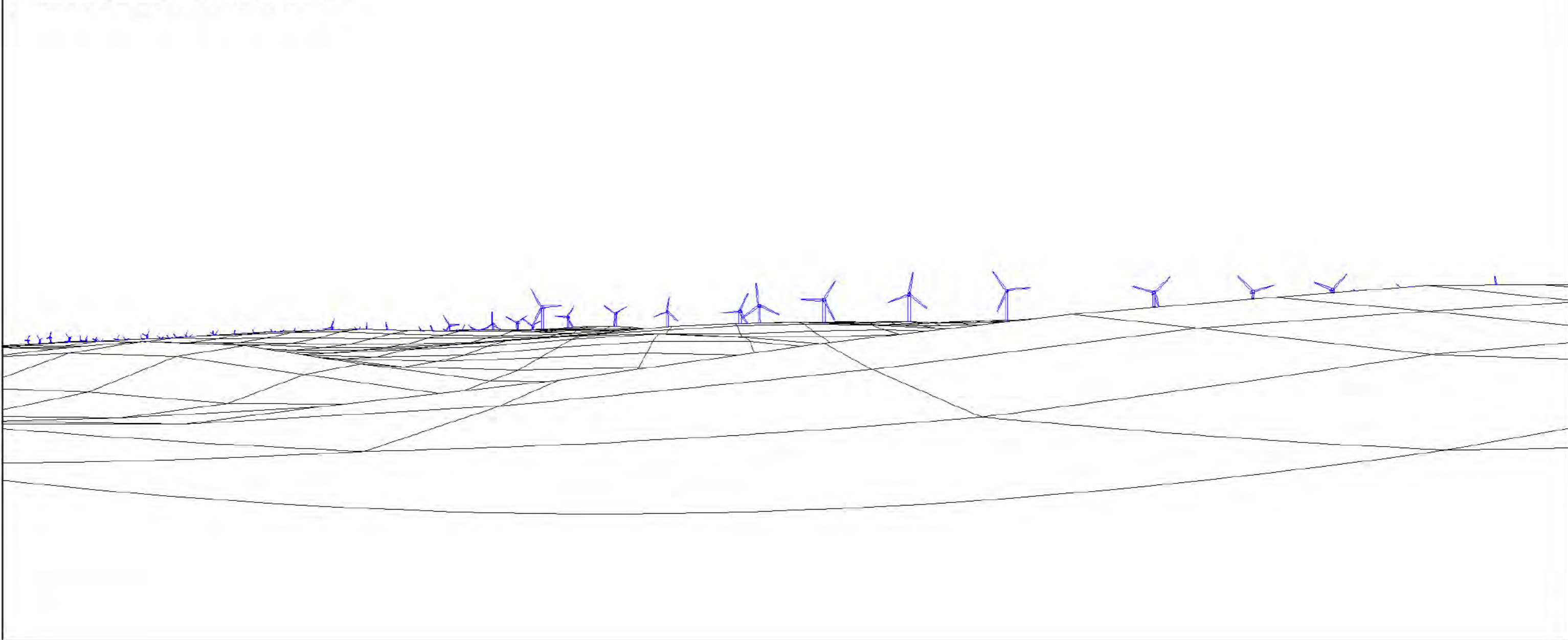
Within 14 days of this determination, the Applicant shall make a binding written offer to the landowner to purchase the land at a price not less than the Secretary's determination.

If the landowner refuses to accept the Applicant's binding written offer under this condition within 6 months of the offer being made, unless the Secretary determines otherwise, then the Applicant's obligations to acquire the land shall cease.

3. The Applicant shall pay all reasonable costs associated with the land acquisition process described in condition 2 above, including the costs associated with obtaining Council approval for any plan of subdivision (where permissible), and registration of this plan at the Office of the Registrar-General.

Attachment 2: Residence SFR04 Wireframes

PREDICTED VIEW - WIREFRAME



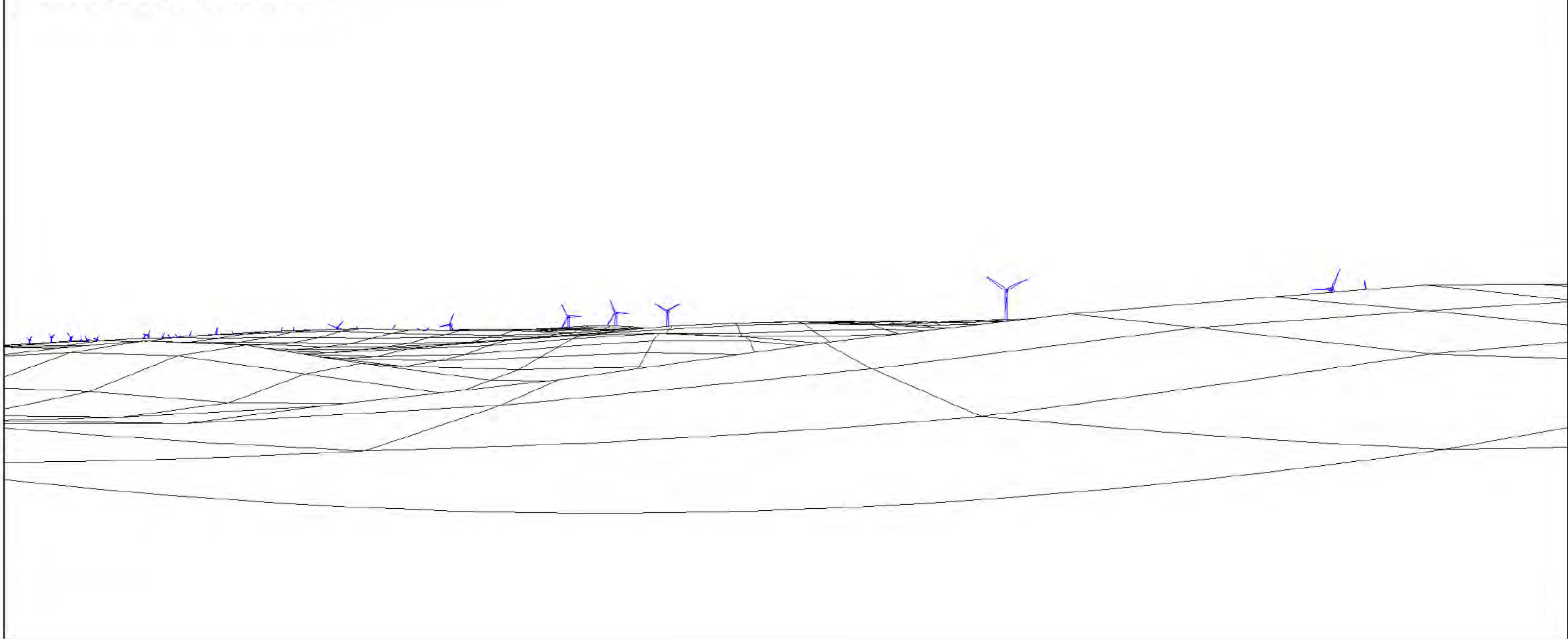
**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 04
NSW PAC APPROVED 77 WTG LAYOUT**

Grid reference: 741829E 6348722N
Viewpoint elevation: 856 m AHD
Turbine blade tip height: 160 m

View direction: 95°
Included angle: 98°
Distance to nearest turbine: 2.7 km



PREDICTED VIEW - WIREFRAME



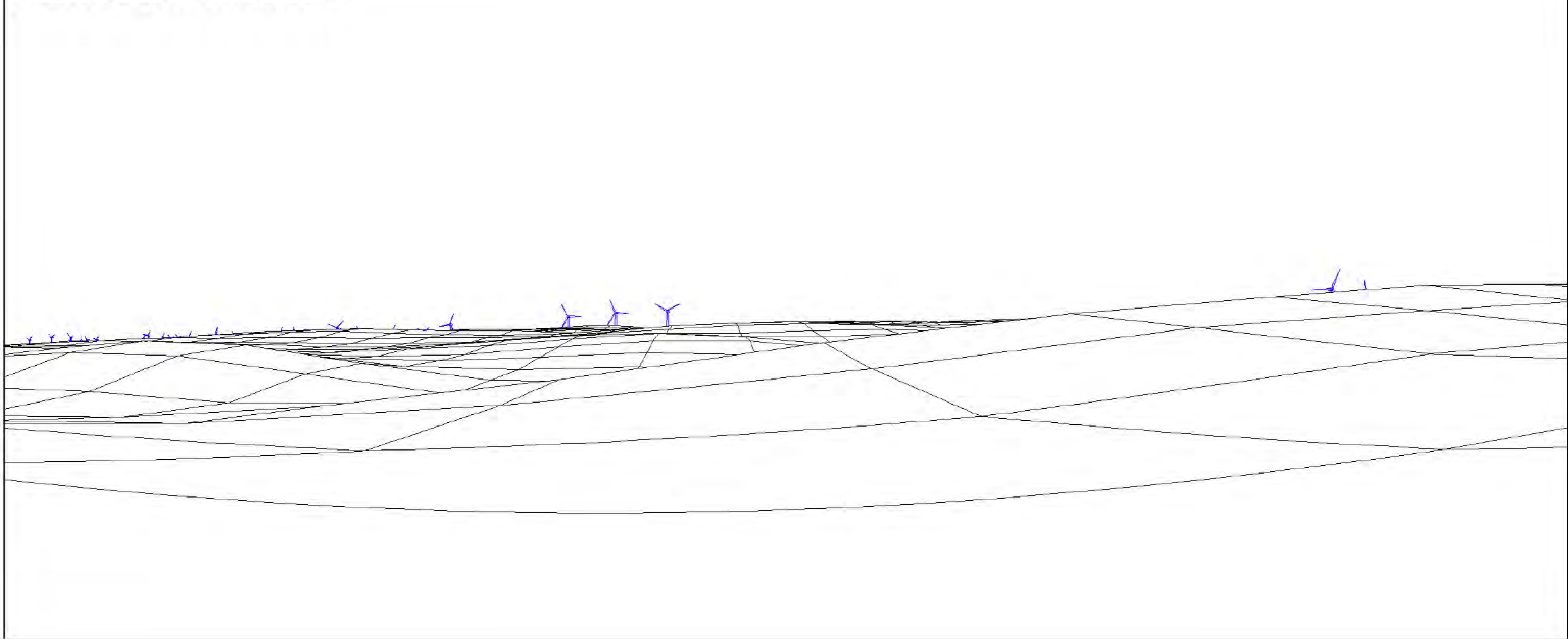
**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 04
OPTIONAL 39 WTG LAYOUT**

Grid reference: 741829E 6348722N
Viewpoint elevation: 856 m AHD
Turbine blade tip height: 160 m

View direction: 95°
Included angle: 98°
Distance to nearest turbine: 2.7 km



PREDICTED VIEW - WIREFRAME



**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 04
OPTIONAL 38 WTG LAYOUT**

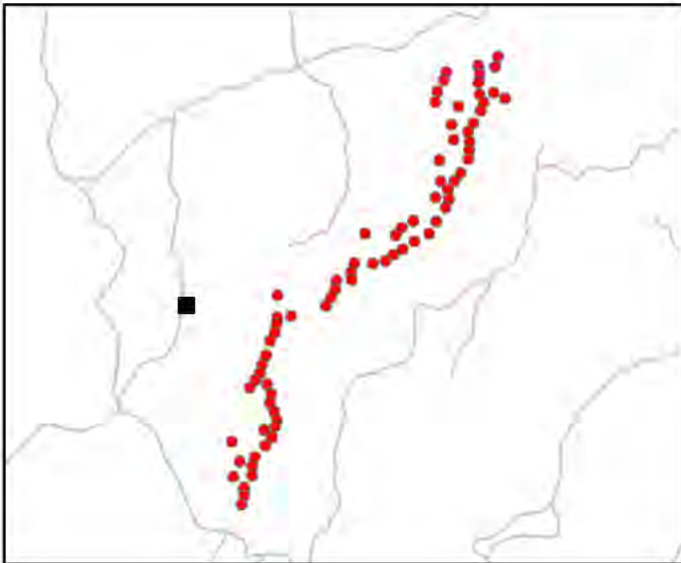
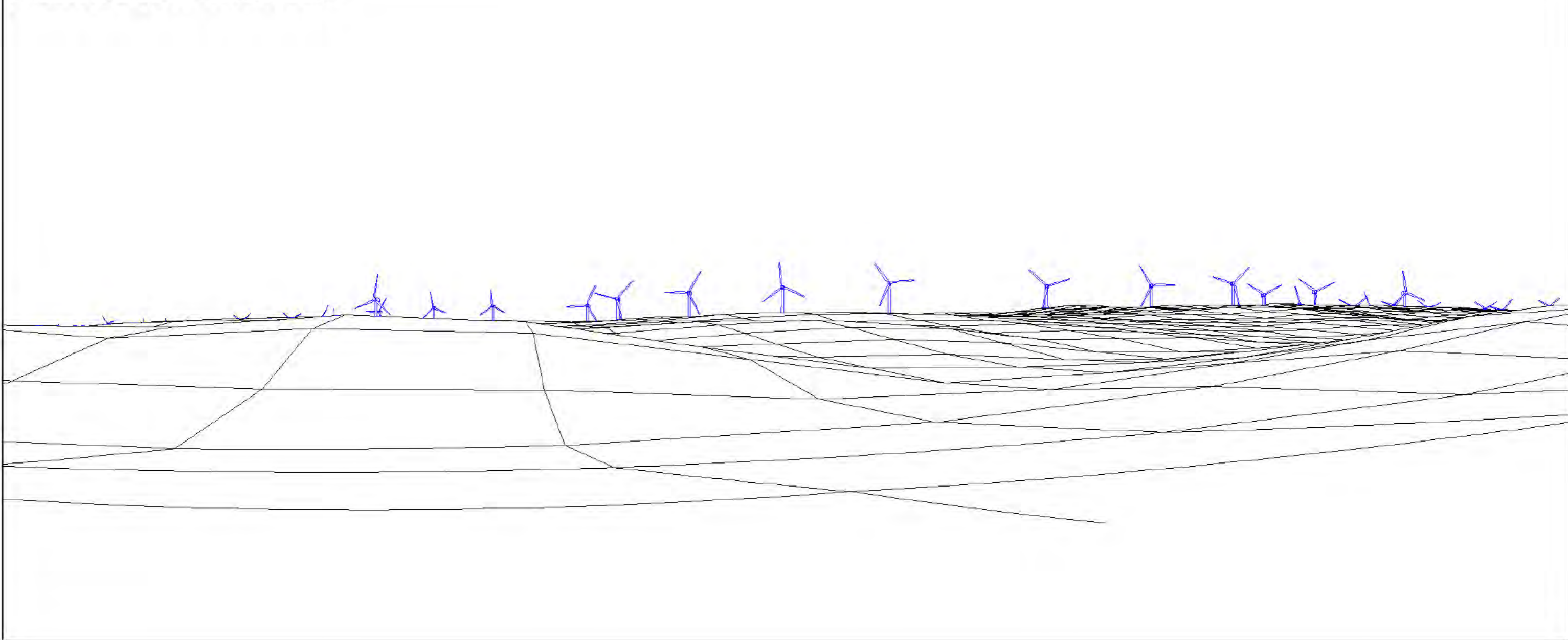
Grid reference: 741829E 6348722N
Viewpoint elevation: 856 m AHD
Turbine blade tip height: 160 m

View direction: 95°
Included angle: 98°
Distance to nearest turbine: 2.9 km



Attachment 3: Residence SFR05 Wireframes

PREDICTED VIEW - WIREFRAME



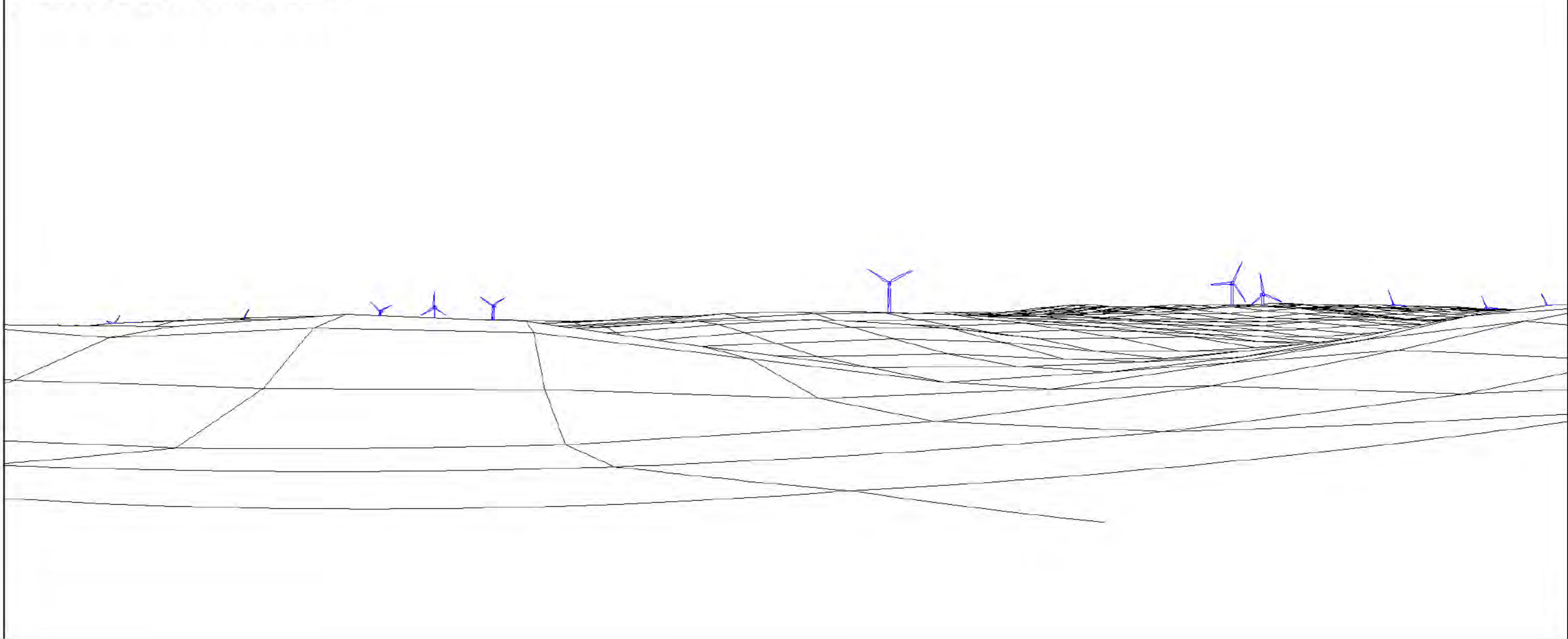
**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 05
NSW PAC APPROVED 77 WTG LAYOUT**

Grid reference: 741876E 6348909N
Viewpoint elevation: 851 m AHD
Turbine blade tip height: 160 m

View direction: 107°
Included angle: 90°
Distance to nearest turbine: 2.7 km



PREDICTED VIEW - WIREFRAME



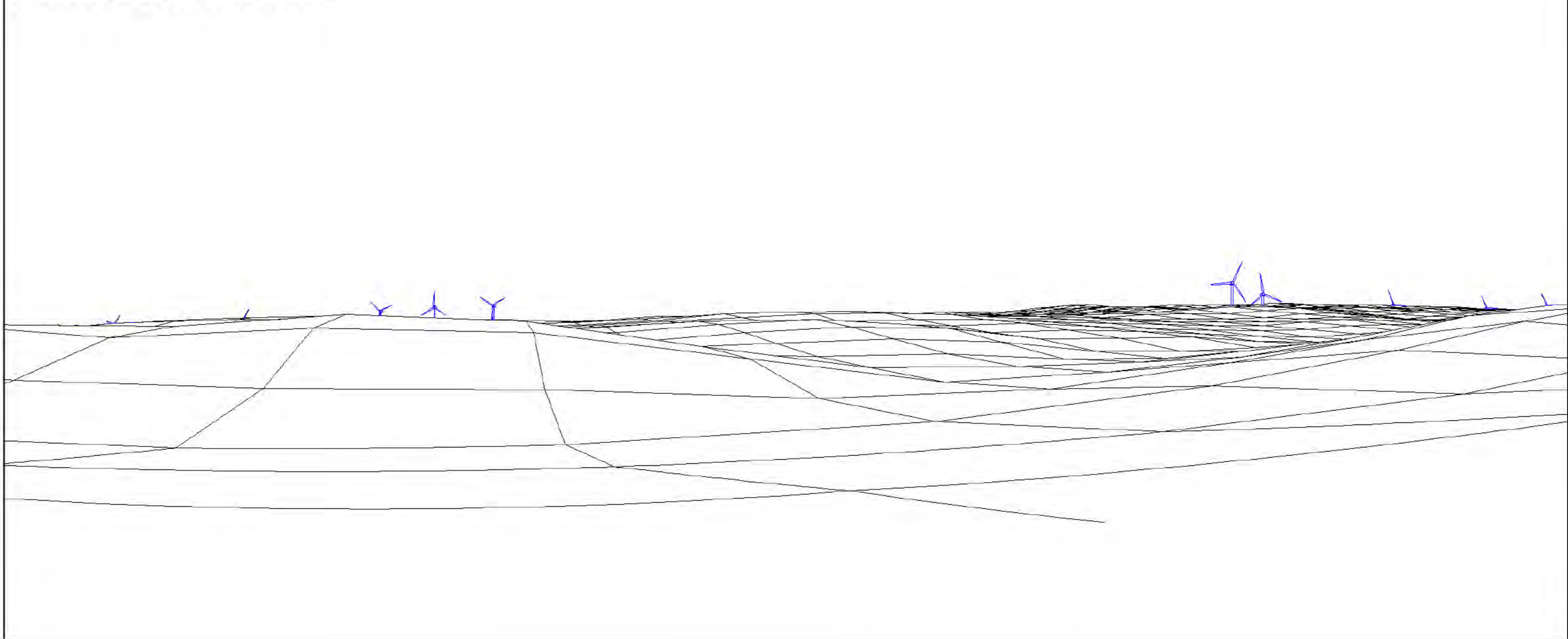
**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 05
OPTIONAL 39 WTG LAYOUT**

Grid reference: 741876E 6348909N
Viewpoint elevation: 851 m AHD
Turbine blade tip height: 160 m

View direction: 107°
Included angle: 90°
Distance to nearest turbine: 2.7 km



PREDICTED VIEW - WIREFRAME



**CRUDINE RIDGE WIND FARM: SALLYS FLAT ROAD, SFR 05
OPTIONAL 38 WTG LAYOUT**

Grid reference: 741876E 6348909N
Viewpoint elevation: 851 m AHD
Turbine blade tip height: 160 m

View direction: 107°
Included angle: 90°
Distance to nearest turbine: 2.9 km



Attachment 4: Residence s47F Photomontages

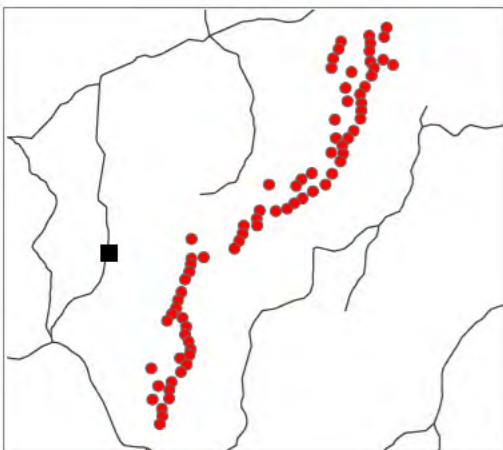
EXISTING VIEW



PREDICTED VIEW



**CRUDINE RIDGE WIND FARM: s47F PHOTOMONTAGE
NSW PAC APPROVED 77 WTG LAYOUT**



Grid reference: **s47F**
Viewpoint elevation: 860 m AHD
Date/time photograph taken: 11/07/2011 4.20 pm
Camera height: 1.5 m

Turbine blade tip height: 160 m
View direction: 94°
Included angle: 97.5°
Distance to nearest turbine: 2.77 km



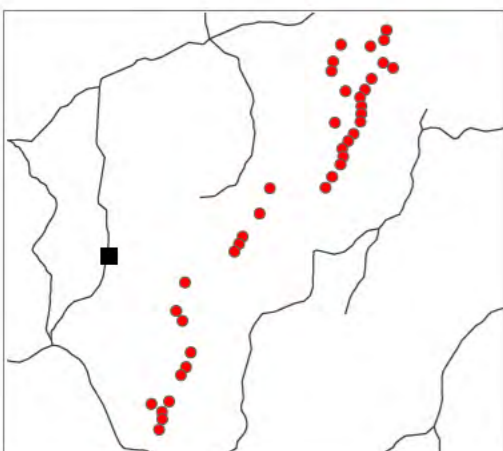
EXISTING VIEW



PREDICTED VIEW



**CRUDINE RIDGE WIND FARM: S47F PHOTOMONTAGE
OPTIONAL 39 WTG LAYOUT**



Grid reference: **S47F**
Viewpoint elevation: 860 m AHD
Date/time photograph taken: 11/07/2011 4.20 pm
Camera height: 1.5 m

Turbine blade tip height: 160 m
View direction: 94°
Included angle: 97.5°
Distance to nearest turbine: 2.77 km



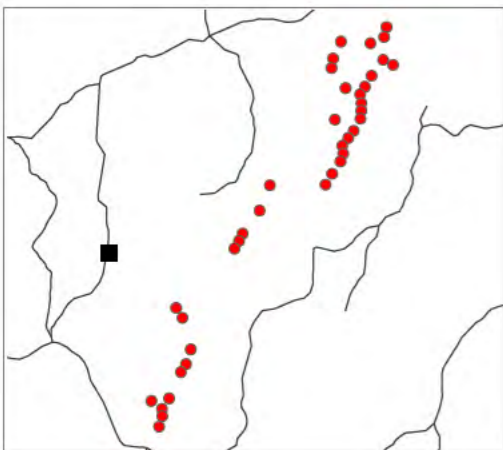
EXISTING VIEW



PREDICTED VIEW



**CRUDINE RIDGE WIND FARM: s47F PHOTOMONTAGE
OPTIONAL 38 WTG LAYOUT**



Grid reference: **s47F**
Viewpoint elevation: 860 m AHD
Date/time photograph taken: 11/07/2011 4.20 pm
Camera height: 1.5 m

Turbine blade tip height: 160 m
View direction: 94°
Included angle: 97.5°
Distance to nearest turbine: 3 km

s22

From: s22
Sent: Friday, 24 February 2017 6:25 PM
To: Kim Farrant
Cc: Dean Knudson; Matt Cahill; s22
Subject: FW: Crudine [SEC=UNCLASSIFIED]
Attachments: map.png

Hi Kim

Based on the phone call clarification from s22 I have added A79, A80 and A81 (ie the red circled ones) into the relevant condition.

s22

From: Farrant, Kim
Sent: Friday, 24 February 2017 5:21 PM
To: s22 <s22@environment.gov.au>
Cc: de Brouwer, Gordon s22; Knudson, Dean s22; Cahill, Matt <Matt.Cahill@environment.gov.au>; s22 s22@environment.gov.au>
Subject: Crudine [SEC=UNCLASSIFIED]

Hi s22

We are just finalising the decision notice and want to be sure we have the 3 additional turbine site locations correct where they will not be constructed. Can you please confirm whether it is A56, A57 and A58 (at the SW corner of the Pyramul Cluster – circled in green) or is it A79, A80 and A81 (red) which are on the Sallys Flat Cluster underneath the 8 we had already identified (which were A61, A66-69, A71, A73, and A78 - yellow). This image is on P11 of the CWP letter.

Will call you shortly to discuss.

Thanks

Kim

Kim Farrant

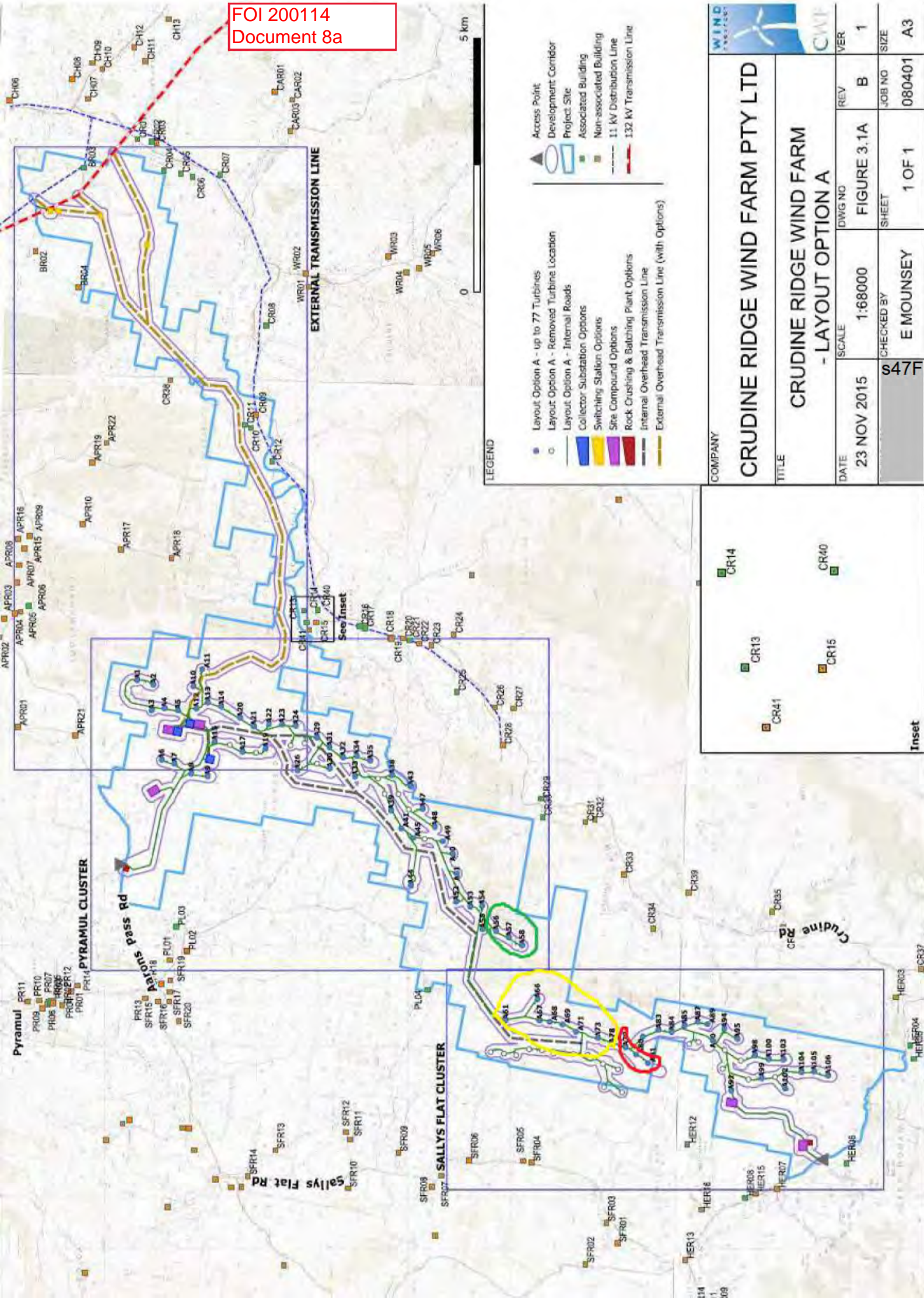
**Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division**

☎ 02 6274 s22 | 📠 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



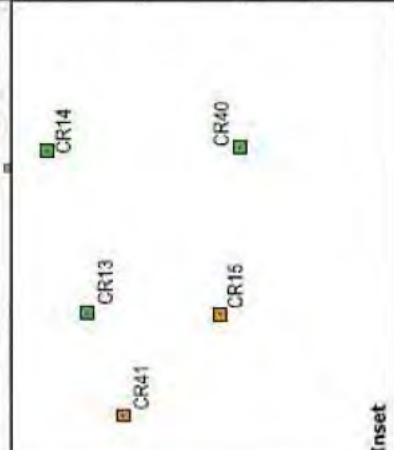


LEGEND

- Layout Option A - up to 77 Turbines
- Layout Option A - Removed Turbine Location
- Layout Option A - Internal Roads
- Collector Substation Options
- Switching Station Options
- Site Compound Options
- Rock Crushing & Batching Plant Options
- Internal Overhead Transmission Line
- External Overhead Transmission Line (with Options)

- Access Point
- Development Corridor
- Project Site
- Associated Building
- Non-associated Building
- 11 KV Distribution Line
- 132 KV Transmission Line

COMPANY		WIND PROJECTS		CWF	
CRUDINE RIDGE WIND FARM PTY LTD					
CRUDINE RIDGE WIND FARM - LAYOUT OPTION A					
DATE	SCALE	DWG NO	REV	VER	SIZE
23 NOV 2015	1:68000	FIGURE 3.1A	B	1	A3
CHECKED BY		SHEET		JOB NO	
E MOUNSEY		1 OF 1		080401	



Inset

s22

From: s22
Sent: Monday, 27 February 2017 3:57 PM
To: Kim Farrant; s22
Cc: Writer, Simon; Dean Knudson; Matt Cahill
Subject: FW: CRWF - IMPORTANT POINTS [SEC=UNCLASSIFIED]

Kim

Can you please consider the points raised below and provide TPs for a potential meeting later this week.

Thanks

s22

From: Codina, Martin
Sent: Monday, 27 February 2017 3:47 PM
To: s22 <s22@environment.gov.au>
Subject: FW: CRWF - IMPORTANT POINTS [SEC=UNCLASSIFIED]

From: s22 (A. Gee, MP) [<mailto:s22>]
Sent: Monday, 27 February 2017 3:11 PM
To: Codina, Martin <s22>
Cc: Gee, Andrew (Private) s22
Subject: Fwd: CRWF - IMPORTANT POINTS

Hi Martin,

Andrew has requested that I forward through the below additional email from s47F

With thanks,
s22

From: s47F <s47F@gmail.com>
Sent: Sunday, 26 February 2017 9:44 PM
To: Gee, Andrew (MP)
Subject: CRWF - IMPORTANT POINTS

Dear Andrew,

Three really important points:

1. Minister Frydenberg has the power to:

(A) APPROVE a submitted project in it's entirety,

(B) APPROVE WITH CONDITIONS, or

(C) REJECT.

As far as I can find out, I don't think he can approve a MODIFIED project (a project different to the one which was submitted to him for final approval). I know he can apply conditions to the submitted project, but this is different to a modification by way of change in layout / change in turbine size. Generally in NSW, any modification to projects need to go back to the NSW DPE for re-assessment + back to the public for submissions. GPS locations on the map of the 38 turbines in question would obviously need to be provided in order for proper processes to occur. I don't think Minister Frydenberg can miss this step as it is the NSW DPE who assesses impacts including visual, noise, roads etc, not the Feds (they are only to assess against environ concerns relating to the EPBC Act). If this is the case, I don't think Minister Frydenberg has the power to approve a modified project yet - it should have to go back to NSW DPE for impact re-assessment (visual, noise, roads + enviro impacts will all change with increased turbine size).

2. By our Federal Minister for the Environment decreasing the number of turbines down to 38 (and we are assuming it is the Pyramul Cluster that is being retained, although we have no confirmation), however increasing the turbine size (as suggested by communications between yourself and Josh's COS re: increased efficiency by 100% ??), then Minister Frydenberg is effectively removing the part of the project (Sally's Flat Cluster) that was located in an area which has minimal or NO BEARING ON THE EPBC ACT and instead INTENSIFYING the project (increasing consequences due to turbine size increases) in the region which HAS SIGNIFICANT BEARING ON THE EPBC ACT. Minister Frydenberg stated during our meeting here that he was going to base his decision purely on the EPBC Act. Should the above changes to the project occur, he is completely dishonouring it. Minister Frydenberg would be effectively putting the environment at EVEN FURTHER RISK than that outlined in the original project submitted for approval. Crazy!!

3. It is important to remember this is new ground for the Federal Government - as far as I can find out there isn't a precedent for a wind farm having a decision made under the EPBC Act to date. Rugby Wind Farm was applicable for assessment under the EPBC Act, however it was withdrawn by the developer. Crudine Ridge Wind Farm will be the first.

I won't be home Monday or Tuesday this week, however I will make sure I have my mobile with me.

Thanking you,

s47F

s22

From: s22
Sent: Tuesday, 14 March 2017 2:29 PM
To: s22
Cc: s22
Subject: FW: Crudine site visit report [SEC=UNCLASSIFIED]
Attachments: Site Visit Report + KF comment.docx

For filing in spire

From: Farrant, Kim
Sent: Thursday, 9 March 2017 7:42 PM
To: s22@environment.gov.au
Cc: de Brouwer, Gordon <s22 Knudson, Dean
<Dean.Knudson@environment.gov.au>; Cahill, Matt <Matt.Cahill@environment.gov.au>; s22
s22@environment.gov.au>; s22@environment.gov.au>
Subject: Crudine site visit report [SEC=UNCLASSIFIED]

Hi s22

Please find attached the Crudine site visit report. Talking points will come through first thing in the morning. Happy to discuss.

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division
☎ 02 6274 s22 | 📠 s22
✉ s22
📍 GPO Box 787 CANBERRA ACT 2601





EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017

Crudine Ridge Wind Farm – EPBC 2013/6837

Prepared by name: s22

Departmental Officers Attending:

Ms Kim Farrant – Assistant Secretary, Assessments (NSW/ACT) and Fuel Branch

Mr s22 – Director, Northern NSW Assessments

Dr s22 – Assistant Director, Ecological Communities

Ms s22 – Assessment Officer, Southern NSW Assessments

Mr s22 – Compliance Officer, Monitoring and Assurance Section

Approval Holder Representatives Attending:

- Landowner: s47F was present 13:30, 3 March 2017, at offset site location.

Local Residents Attending:

- s47F – Nearby landowner and opponent of the proposed wind farm
- s47F – Nearby landowner and opponent of the proposed wind farm.

Both Present: 3 March 2017, throughout inspection of Aarons Pass Road – between 12.30pm – 3pm.

Executive Summary

Departmental ecologists, a compliance officer and Departmental officials were requested by the Minister’s Office to attend a visit to the Crudine Ridge Wind Farm site and Aarons Pass Road to undertake an inspection of areas of land to be cleared along Aarons Pass Road, specifically to establish whether additional areas identified by local residents were previously unidentified EPBC Act protected matters. Objectives were also to make observations and hold discussions with landowners.

TRIP LOCATION OVERVIEW

Objectives and Actions Taken

Departmental Officers met with a family of local landowners concerned about the proposed construction of the Crudine Ridge Wind Farm. The Officers gave an overview of the assessment process, monitoring program and compliance mechanisms available under the EPBC Act. Due to weather delays with flights, it became necessary to split up the Departmental party to cover all elements of the agenda. Officers Farrant, s22 and s22 accompanied landowners s47F and s47F out to the road alignment to be used for transporting turbine components, subject to some clearing of EC vegetation required to manoeuvre the trailers around corners.



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017

Officers S22 and S22 proceeded directly to the proposed offset site and met with landowner S47F and conducted a site inspection meeting (see separate site inspection Report by compliance officer S22).

The group travelled approximately 12km east along Aaron’s Pass Road from the intersection of Prices Lane, past the proposed wind farm site entrance, and to the intersection of Aaron’s Pass Road and Bocoble Road. The group returned along the same route. The group stopped at a number of locations during this time, exiting the vehicle so that officers could more closely inspect the vegetation and other features. S47F and S47F raised a number of issues with officers during this time, including:

- The distribution of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Box Gum Woodland) along the roadside and potential that it be cleared as part of roadworks associated with the proposed wind farm.
- The amount of tree clearing and alignment roadworks that may be required more generally, to enable transport of turbines and other infrastructure for the proposed wind farm.
- The presence of tree hollows on the side of Aaron's Pass Road which may be cleared as part of roadworks associated with the proposed wind farm.
- Concerns that the area has a Koala population that has not been considered in the EPBC Act assessment.
- Concerns about the potential for clearance of the Small Purple Pea on the wind farm site itself.
- Concerns about the potential for presence of Robertson’s Peppermint.
- Concerns about the timing of the referral decision having been made a few months before the Koala became a listed threatened species.

Observations

The extent of Box Gum Woodland was consistent with maps provided by the proponent and taken into consideration in the assessment of the project in relation to the amount of Box Gum Woodland to be cleared. The extent of Box Gum Woodland at the proposed offset was also validated and was found to be consistent with the assessment (see separate site inspection Report by compliance officer S22).

The Box Gum Woodland was of moderate condition and occurred along the roadside for approximately the 4km area past the site entrance. Blakely’s Red Gum (*Eucalyptus blakelyi*) and White Box (*E. albens*) were the main trees noted, with some individuals of Red Stringybark (*E. macrorhyncha*) also present along this part of the road. The understorey was sparse with considerable litter but grasses such as *Joycea pallida* and *Austrostipa* spp. were noted. Relatively few weeds (except for some thistles) and some native shrubs were present, generally of *Acacia* sp. and *Cassinia* sp. This area was also marked with signs. Figure 1, Figure 2 and Figure 3 show images of the Box Gum Woodland in this area and an



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017

example of the signs. This area of Box Gum Woodland is generally on a straighter and lower gradation section of Aaron’s Pass Road than further east, and it is therefore less likely to require removal as part of the roadworks required for the project. The proponent’s ecological report indicates that a maximum of 0.28ha of the Box Gum Woodland in this area would be cleared, which is consistent with the observations made on the 3 March site visit. A short area of Box Gum Woodland close to the site entrance of the road had a dense presence of the weed Canary Grass (*Phalaris* spp.).

There was a noticeable change in the vegetation as the group ascended the hill and drove along the ridgeline. It was clear that this area no longer contained the Box Gum Woodland and was dominated by Red Stringybark and Scribbly Gum (*E. rossii*). Also, the understorey became distinctly shrubbier than the grassy understorey typical of Box Gum Woodland with species of *Cassinia*, especially the disturbance-tolerant Sifton Bush (*C. arcuata*), becoming prominent in some places. Figure 4, Figure 5, Figure 6, Figure 7 and Figure 8 show images of this area.

There appeared to be some confusion among the local residents attending the site visit that the presence of individual trees typical of Box Gum Woodland anywhere on the site was sufficient to identify Box Gum Woodland. It was pointed out to the residents that one or more of the three key tree species had to be dominant, i.e. the main trees present, to make up Box Gum Woodland. For instance, having one White Box tree among a forest of Red Stringybarks is not Box Gum Woodland, as was the case for the ridgeline forest. s47F and s47F concern that a greater extent of the vegetation on this part of the road may require clearing, as part of roadworks for the project, is not relevant to the EPBC assessment for this project, as this part of the road does not contain the Box Gum Woodland or important habitat for EPBC Act listed threatened species, in accordance with the EPBC Significant Impact Guidelines. The Department notes that the NSW assessment included a Heavy Haulage Road Survey and Upgrade Assessment of Aarons Pass Road, by Downer Infrastructure, which has experience in constructing roads for other wind farm projects. This detailed report is an appendix to the NSW environmental assessment and is publicly available at:

https://majorprojects.affinitylive.com/public/c9f59340dc3d722713204af4f0246df8/Appendix%2004_Route%20Survey%20and%20Upgrde%20Assessment_Part%202.pdf

In relation to tree hollows, s47F and s47F showed Departmental officers a large tree hollow at the base of a tree approximately 1-2 metres from the road (Figure 9 and Figure 10). This tree was toward the eastern extent of the section of Aaron’s Pass Road visited on 3 March 2017, and is not in the Box Gum Woodland area relevant for the EPBC assessment. The Department notes that any presence of tree hollows within the Box Gum Woodland would not affect, nor change, the impact and offset calculations for the project, as impacts to the Box Gum Woodland are already taken into account.



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017

The group did not see any examples of Small Purple Pea, Robertson’s Peppermint, or other threatened species.

No Koalas were sighted during the visit, although there were a number of road signs warning of the presence of Koalas. Departmental officers discussed with s47F and s47F s47F during the visit the legislative requirement, under S158A of the EPBC Act — that Koalas cannot be considered for the purposes of the EPBC Act assessment due to them being listed after the referral decision was made for this project.

Photos



Figure 1



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 2



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 3



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 4



Figure 5



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 6



Figure 7



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 8



Figure 9



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017



Figure 10



EPBC Assessment site visit report – Aaron’s Pass Road, 3 March 2017

References

- Appendix 04_Route Survey and Upgrade Assessment_Part2 (NSW Major Project Assessment, Response to Submissions_ Preferred Project Report) available at: https://majorprojects.affinitylive.com/public/c9f59340dc3d722713204af4f0246df8/Appendix%2004_Route%20Survey%20and%20Upgrade%20Assessment_Part%202.pdf
- CWP Renewables letter to the Department Dated 2 March 2017.

Key Findings

The Department was better able to understand the concerns of s47F and s47F s47F regarding the impacts of clearing proposed to upgrade Aaron’s Pass Road for the transportation of wind farm infrastructure. The distribution of the White Box-Yellow Box-Blakely’s Red Gum Grassy Woodland and Derived Native Grassland was consistent with the information supplied by the proponent. Much of the length of Aaron’s Pass Road passes through remnants of Red Stringybark forest with a largely shrubby understorey on the steeper ridgeline. There were no additional EPBC Act protected matters found by Departmental ecologists or field officers. The Department confirmed the extent of Box Gum woodland was in accordance with the areas which had been mapped and assessed. The Department did not observe any examples of Small Purple Pea, Robertson’s Peppermint, or other threatened species.

The Department concludes the concerns raised by s47F and s47F did not constitute substantial new information regarding EPBC Act protected matters.

Prepared by:

s47F
Director
Northern NSW Assessments Section
Assessments (NSW, ACT) and Fuel Branch

Approved by:

.....
Kim Farrant
Assistant Secretary
Assessments (NSW, ACT) and Fuel Branch

March 2017

s22

From: s22
Sent: Tuesday, 14 March 2017 2:28 PM
To: s22
Cc: s22
Subject: FW: Crudine site visit report [SEC=UNCLASSIFIED]
Attachments: 2011-6206 - Site Inspection Report - 03-03-17 -Final.docx.pdf; FW: site visit reports [SEC=UNCLASSIFIED]

For filing in spire

From: Farrant, Kim
Sent: Friday, 10 March 2017 12:43 PM
To: s22 @environment.gov.au
Cc: de Brouwer, Gordon <s22 Knudson, Dean <Dean.Knudson@environment.gov.au>; Cahill, Matt <Matt.Cahill@environment.gov.au>; s22 @environment.gov.au; s22 @environment.gov.au; Collins, Monica s22
Subject: RE: Crudine site visit report [SEC=UNCLASSIFIED]

Hi s22

Please find attached the report of the visit to the offset site. We were not sure if it has been cleared last night, so I didn't send it. We have confirmation this morning that it has been cleared (see attached).

Also, TPs to come shortly. Just waiting on TSC advice which we understand will be with us any time now. I will update the TPs as required when we receive it and send them through to you asap.

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | 📠 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



From: s22
Sent: Friday, 10 March 2017 12:10 PM
To: Farrant, Kim <s22
Subject: RE: Crudine site visit report [SEC=UNCLASSIFIED]

Kim

Do you have the TPs and the site report from s22 and s22?

Thanks

s22

From: Farrant, Kim

Sent: Thursday, 9 March 2017 7:42 PM

To: s22 <[REDACTED]@environment.gov.au>

Cc: de Brouwer, Gordon <s22 [REDACTED]> Knudson, Dean

s22 [REDACTED] Cahill, Matt s22 [REDACTED] > s22 [REDACTED]

s22 [REDACTED] <[REDACTED]@environment.gov.au>; s22 [REDACTED] <[REDACTED]@environment.gov.au>

Subject: Crudine site visit report [SEC=UNCLASSIFIED]

Hi s22 [REDACTED]

Please find attached the Crudine site visit report. Talking points will come through first thing in the morning. Happy to discuss.

Thanks

Kim

Kim Farrant

Assistant Secretary | Assessments (NSW, ACT) & Fuel

Environment Standards Division

☎ 02 6274 s22 [REDACTED] | 📠 s22 [REDACTED]

✉: s22 [REDACTED]

📍: GPO Box 787 CANBERRA ACT 2601





Monitoring Visit Report

Crudine Ridge Wind Farm – EPBC 2013/6837

Prepared by s22

Departmental Officers Attending: Kim Farrant, s22 & s22

Approval Holder Representatives Attending: N/A – Landowner: s47F was present 13:30, 3 March 2017

Executive Summary

A Compliance Monitoring Officer was requested by the Minister’s Office to attend a visit to the Crudine Ridge Wind Farm site to accompany Departmental Assessment Officers in making observations and holding discussions with landowners. As the project is not subject to an EPBC approval, the information in this report will serve for future reference in the event the project is approved.

TRIP LOCATION OVERVIEW

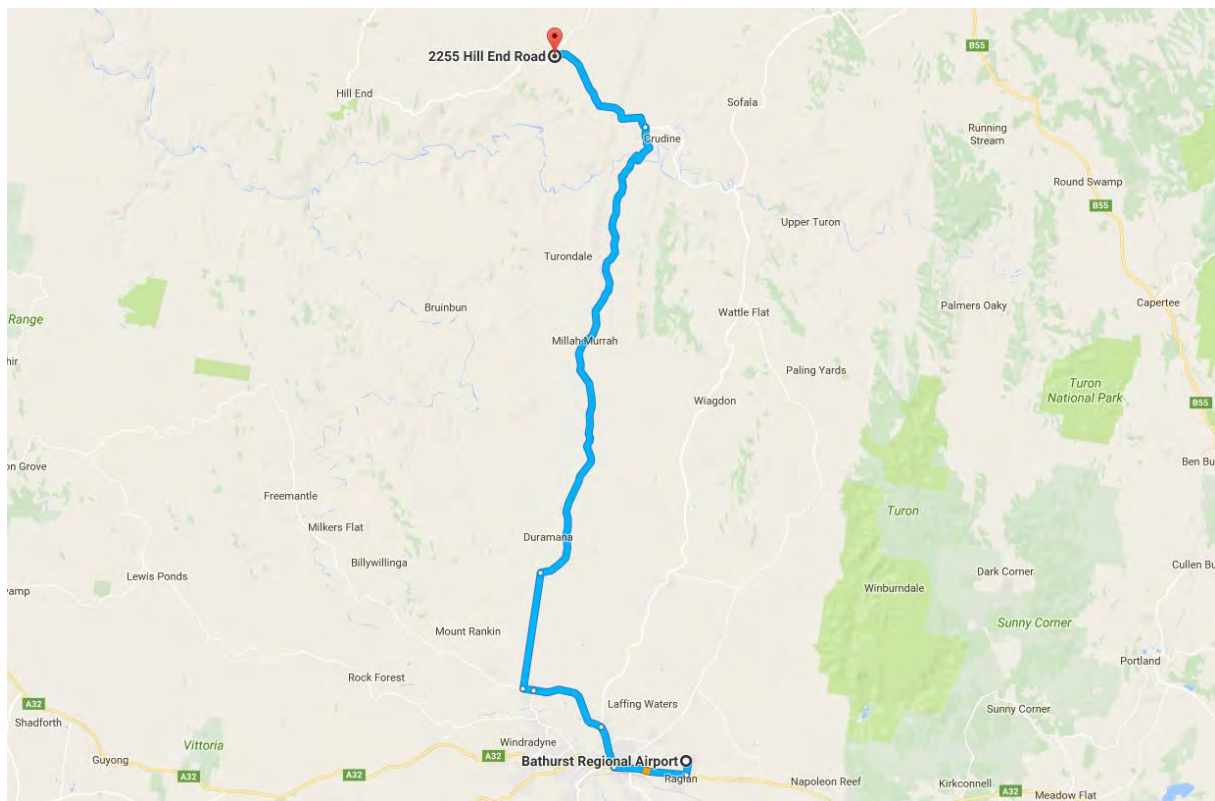


Figure 1: Route

- (A) Bathurst Regional Airport
- (B) Crudine Ridge Wind Farm – Proposed Offset Site



Monitoring Visit Report

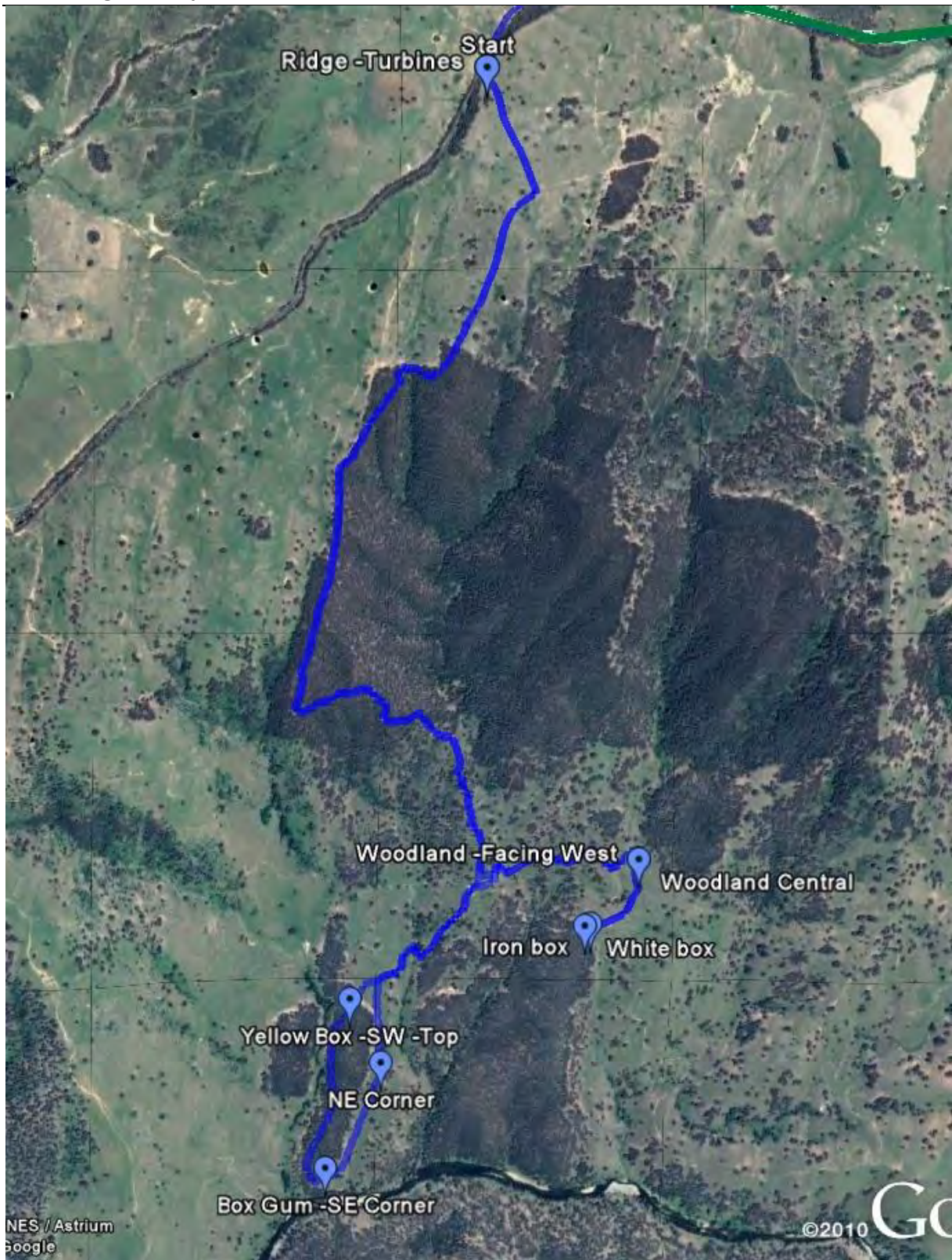


Figure 2: Offset Area Route



Monitoring Visit Report

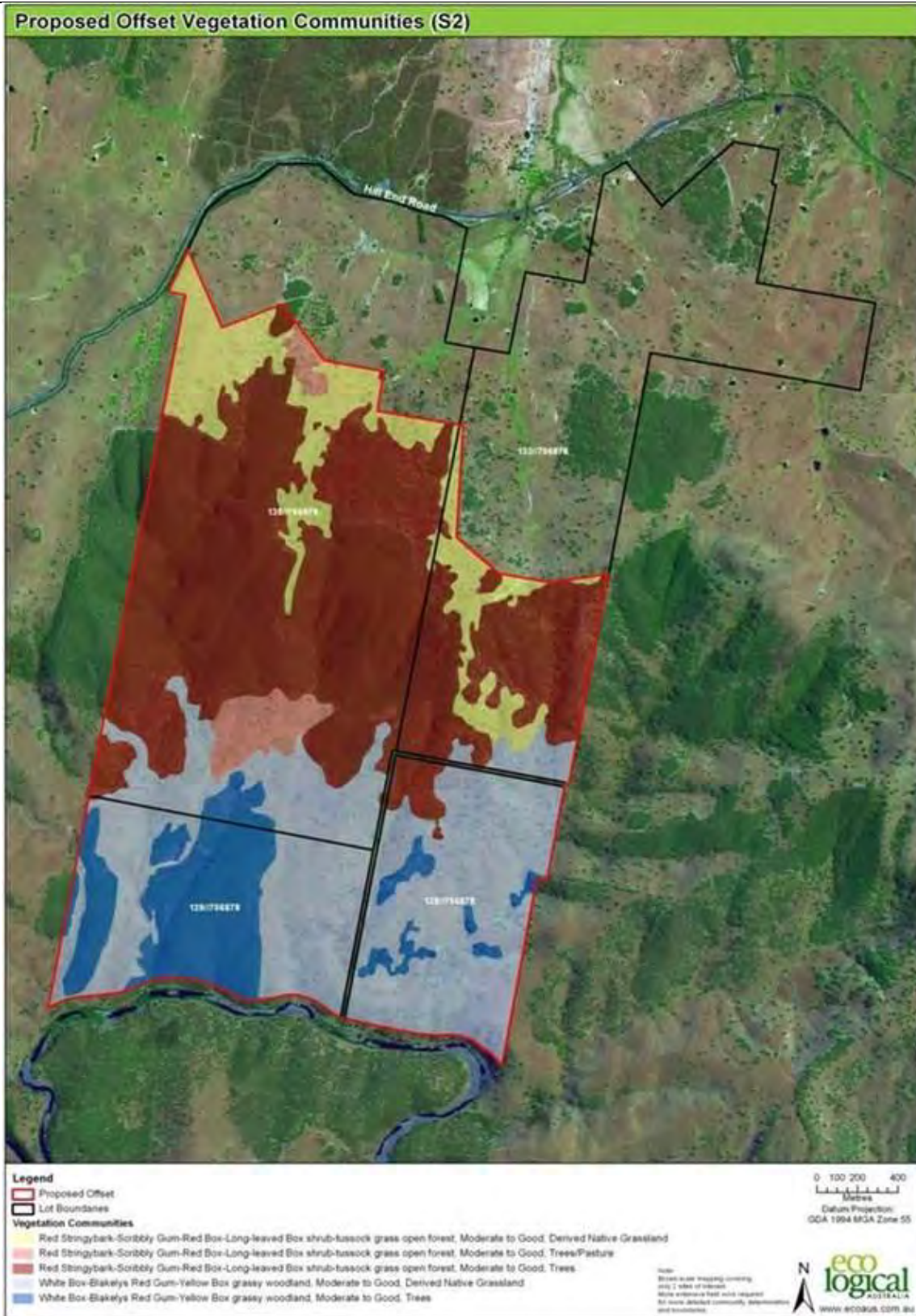


Figure 3: Offset Area Assessment



Monitoring Visit Report

Objectives

This project is still in the assessment phase, so has not yet been assessed under NESTRA risk prioritisation model. However, the Minister requested that an officer from the Department's Compliance Monitoring Team attend a visit conducted by the Department's Assessment area in an advisory capacity. The visit afforded the opportunity to obtain a baseline understanding of the proposed offset area and to gain a site perspective to inform future compliance monitoring activity. There are a number of requirements under the proposed conditions of approval that will require ongoing monitoring.

Reference Documentation

Proposed Conditions of Approval

Actions Taken

Departmental Officers met with a family of local landowners, concerned about the proposed construction of the Crudine Ridge Wind Farm. The Officers gave an overview of the assessment process, monitoring program and compliance mechanisms available under the EPBC Act. Due to weather delays with flights, it became necessary to split up the Departmental party to cover all elements of the agenda. Officers Farrant, s22 and s22 accompanied landowners out to the road alignment to be used for transporting turbine components, subject to some clearing of EC vegetation required to manoeuvre the trailers around corners.

Officers s22 and s22 proceeded directly to the proposed offset site and met with landowner s47F and conducted a site inception meeting. Officers were then taken down to the bottom of the site to where the Box Gum Woodland was located (figures 4-11). Officers were taken back to the site entrance and conducted a close-out meeting, before heading back to Bathurst Regional Airport.

Observations

Officers observed the White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland community as mapped in Eco Logical's Assessment (figure 3) from several perspectives and took pictures (figures 4-11).



Monitoring Visit Report



Figure 3: Proposed Wind Farm site (ridge in the background)



Figure 4: Yellow Box – SW Corner of Block –Top of Area



Monitoring Visit Report



Figure 5: Box Gum Woodland – SW Corner – Bottom of Area



Figure 6: Box Gum Woodland – SW Corner – North East of Area



Monitoring Visit Report



Figure 7: Box Gum Woodland – Centre of Site - Facing West



Figure 8: Box Gum Woodland – Centre of Site - Facing South



Monitoring Visit Report



Figure 9: Mapped Box Gum Woodland with stands of Iron Bark



Figure 10: White Box



Monitoring Visit Report

Issues/Follow up actions

The visit served to provide information to be used in the assessment process, as well as to inform future monitoring. As the project has not yet been approved, there is no requirement for any future monitoring or compliance activities stemming from the visit.

Prepared by:

s22

Senior Compliance Officer
Monitoring and Assurance Section
02 6275 s22
6 March 2017

Approved

.....

s22

Acting Director
Monitoring and Assurance Section
7 March 2017

s22

From: Matt Cahill
Sent: Wednesday, 21 December 2016 9:50 AM
To: s22
Cc: s22 Dean Knudson
Subject: Fwd:s22 Crudine Ridge: Action items - pls review
[SEC=UNCLASSIFIED]

s22

Note s22 comments. For action

Thanks
Matt

Matt Cahill, First Assistant Secretary, Environment Standards Division, Department of
Environment and Energy. Phone 026274 s22 mobile s22

Begin forwarded message:

From: s22 <[redacted]@environment.gov.au>
Date: 21 December 2016 at 9:35:01 am AEDT
To: "Knudson, Dean" <s22 [redacted]> "Cahill, Matt"
s22
Cc: s22 <[redacted]@environment.gov.au>
Subject: RE: s22 Crudine Ridge: Action items - pls review
[SEC=UNCLASSIFIED]

Thanks for this Dean, and for everyone's contribution during yesterday's call.

I have added some comments in caps below.



I am available for a call on Crudine Ridge anytime this afternoon.

Thanks

-----Original Message-----

From: Knudson, Dean
Sent: Tuesday, 20 December 2016 5:53 PM
To: Cahill, Matt s22 [redacted]; s22 [redacted]
s22 <[redacted]@environment.gov.au>
Cc: s22 <[redacted]@environment.gov.au>
Subject: s22 Crudine Ridge: Action items - pls review

What I have from the meeting are the following items:

s22

s22

s22

4. Crudine Ridge

- Need a call tomorrow with Martin Codina and s22 (s22 to arrange) and Matt's team to sort out next steps.

s22 Matt - let me know if you have any changes s22 - pls set up the call re Crudine tomorrow

Thanks all.

s22

From: Matt Cahill
Sent: Wednesday, 21 September 2016 6:50 AM
To: Dean Knudson
Cc: Kim Farrant
Subject: FW: NOTE FOR FILE: Crudine Ridge - phone call with proponent (Mark Branson) [SEC=UNCLASSIFIED]

FYI

Matt Cahill
First Assistant Secretary
Environment Standards Division
Department of the Environment and Energy
GPO Box 787 Canberra ACT 2601
Tel: 02 6274 s22 Mob: s22

From: Farrant, Kim
Sent: Tuesday, 20 September 2016 7:19:25 PM
To: s22
Cc: Cahill, Matt; s22
Subject: NOTE FOR FILE: Crudine Ridge - phone call with proponent (Mark Branson) [SEC=UNCLASSIFIED]

Hi s22

Please see below a file note of a conversation I had with Mark Branson this evening. For your information and filing.

I returned Mark Branson's phone call s47F this evening. Mark rang to find out what was happening with the final decision on the Crudine Ridge Wind Farm project and the reason for the delay – in particular whether the recent complaints about the project were the reason.

I advised that:

- I was aware that Mark Branson had discussed the project yesterday with s22 of Minister Frydenberg's office.
- The Minister and his office were seeking further information about some projects, including Crudine Ridge to obtain a level of comfort about the projects.
- The Minister was considering visiting the Crudine Ridge area (I did not indicate who he might be visiting or when the visit may take place), but that I would keep Mark Branson informed about the details of the visit so the company would have plenty of notice
- From the Department's perspective, in this case the complaints were not determinative – we receive similar complaints about many projects, follow up and decide if there is merit to them
- We would continue to work with Mark and his company and if the company wished to provide further updates on the impact of the delay they should do so
- I would continue to work with the Minister's office to provide any further information about they might require about the project so that a decision could be made as soon as possible.

Mark Branson was complimentary about the engagement with the Department but was bemused about the delay at this late stage.

Following this phone call, I rang s22 [redacted] at the Minister's Office and advised him of the content of the phone call with Mark Branson as outlined above.

Kim

Kim Farrant

**Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division**

☎ 02 6274 s22 | 📞 s22

✉: s22 [redacted]

📍: GPO Box 787 CANBERRA ACT 2601



s22

From: s22
Sent: Tuesday, 13 December 2016 4:23 PM
To: s22
Subject: RE: can you please send proposed decision for Crudine Ridge. [SEC=UNCLASSIFIED]

Hi s22 – let me know if you are free to have a quick chat about this and what number to call you on

s22

s22

Director – Northern NSW Assessments
Environment Standards Division
02 6274 s22

From: s22
Sent: Tuesday, 13 December 2016 4:21 PM
To: s22@environment.gov.au>
Subject: RE: can you please send proposed decision for Crudine Ridge. [SEC=UNCLASSIFIED]

Got it – Thanks

From: s22
Sent: Tuesday, 13 December 2016 4:14 PM
To: s22@environment.gov.au>
Subject: can you please send proposed decision for Crudine Ridge. [SEC=UNCLASSIFIED]

Thanks

s22

Office of the Hon Josh Frydenberg MP
Minister for the Environment and Energy | Federal Member for Kooyong
4 Treasury Place, East Melbourne VIC 3002 | p: 03 9660 s22
Parliament House, Canberra ACT 2600 | p: 02 6277 s22
e: s22@environment.gov.au | w: www.joshfrydenberg.com.au

s22

From: Cahill, Matt
Sent: Monday, 19 December 2016 2:44 PM
To: s22
Cc: s22 Writer, Simon; s22 s22 Kim Farrant; Mike Smith; s22 Dean Knudson
Subject: RE: tomorrow [SEC=UNOFFICIAL]

s22

Will do

Simon will be joining us

Regards
matt

Matt Cahill
First Assistant Secretary
Environment Standards Division
Department of the Environment and Energy
GPO Box 787 Canberra ACT 2601
Tel: 02 6274 s22 Mob: s22

From: s22
Sent: Monday, 19 December 2016 1:36 PM
To: Cahill, Matt s22
Cc: s22 @environment.gov.au>
Subject: tomorrow [SEC=UNOFFICIAL]

Matt

Can you please arrange for the relevant folks to be available for briefings for Minister on Crudine Ridge and New Acland at 11am tomorrow.

Only 3-4 people per call, not everyone on both calls.

Suggest you (and Dean if available) plus Kim/s22 and James s22 You might want Simon Writer nearby but not necessary - your call.

We can discuss and then finalise briefs after calls.

Thanks

s22

s22

Office of the Hon Josh Frydenberg MP
Minister for the Environment and Energy | Federal Member for Kooyong
4 Treasury Place, East Melbourne VIC 3002 | p: 03 9660s22

s22

From: Farrant, Kim
Sent: Tuesday, 24 January 2017 5:51 PM
To: s22
Subject: FW: Further information from CWP about Crudine Ridge Wind Farm [SEC=UNCLASSIFIED]
Attachments: image001.jpg

Hi s22

Pleas see below. As I understand it, CWP are not required to do anything for Koalas so while speed limits etc may not be new, there are other things like contributing to the review of guidelines etc that are new. It would also be helpful if CWP would let us say the contribution to research involves money (even if we can't mention the exact amount).

Are you able to please follow this up with Mark Branson in the morning.

Could someone also please identify specifically what is different from the original proposal against each item for Koalas as well as the other things.

I will be at DFAT for most of the morning.

Thanks

Kim

Sent with Good (www.good.com)

From: s22
Sent: Tuesday, 24 January 2017 6:28:37 AM
To: Farrant, Kim
Subject: Re: Further information from CWP about Crudine Ridge Wind Farm [SEC=UNCLASSIFIED]

Hi Kim

It is not clear to me what is new from CWP, particularly wrt koalas.

Can you please highlight what are the concessions they are prepared to make?

Please send by midday Wed.

s22

Sent from my iPhone

> On 19 Jan 2017, at 18:07, Farrant, Kim <Kim.Farrant@environment.gov.au> wrote:

>

> Hi s22

>

> As requested, please see below a summary of the additional information provided by CWP about their Crudine Ridge proposal (full letter dated 17 January, but received 18 January also attached):

>

> Numbers of turbines:

>

- > · Current proposal is up to 77 turbines. CWP proposes a 39 turbine layout as optimal, but is willing to go to 38.
- >
- > Community consultation activities:
- >
- > · CWP states consultation commenced in 2011, and has been extensive targeting interested and affected parties.
- >
- > · Consultation involved face to face meetings, public open days, written correspondence, meetings during planning and design stages, public opinion surveys, presentations to Council, media including newsletters, website, media releases, radio interviews.
- >
- > · Established a Community Consultation Committee in 2013 (members include s47F). Committee is chaired by an independent chair, has met six times and minutes are available on the Project website.
- >
- > Socio-economic benefits:
- >
- > · The project will provide direct payments to 17 host landowners for over 25 years.
- >
- > · \$168,000 will be paid annually to community funds for the life of the project (an installed capacity of 135MW is required to maintain this level of community contribution).
- >
- > · Updated job creation figures are approximately 200 FTE (Note: the NSW PAC used a figure of 75 FTE)
- >
- > · Project investment will be around \$300 million.
- >
- > · 100 businesses have registered on the contractor database, with around 60% from the local area. CWP says this demonstrates strong local support for investment in construction and infrastructure services in central West NSW, to stimulate the local economy.
- >
- > Visual Amenity:
- >
- > · CWP says the project has been subject to extensive layout reviews to accommodate the visual amenity of the neighbouring residents and surrounding areas.
- >
- > · CWP has provided wire frames (present a worst case evaluation of visual impacts as they use only contour information with no consideration for local vegetation etc) and photomontages (an approximation of what will be seen when local vegetation is factored into the view) for two properties SFR 05 s47F) and SFR 04 s47F for the 77, 39, and 38 turbine layouts.
- >
- > · CWP says a reduction to 39 or 38 turbines would significantly reduce impacts on these two residences. Please see wire frames and photomontages in Attachment 2 onwards in the attached letter.
- >
- > o [Please note: the photomontages are best viewed on screen as the turbines are more visible than in print, particularly if you zoom in]
- >
- > Koalas and Koala Habitat:
- >
- > · Reducing the turbine numbers will reduce the impact on koalas, and impacts further avoided with micro-siting of turbines and roads.
- >
- > · The Project will establish offsets of 674ha of potential Koala habitat.
- >
- > · The Project will develop and implement an Environmental Management System containing a Koala Management Protocol (which will define procedures for micro-siting turbines and other infrastructure) to minimise the clearing of vegetation in Koala habitat where feasible.
- >
- > · Speed limits will be established and enforced for construction vehicles along Aarons Pass Road and within the project site to prevent collisions with wildlife, including Koalas.
- >
- > · The Project will adopt the Code of Practice for Injured, Sick and Orphaned Koalas (NSW, OEH) for any Koalas injured on site or during vehicle transport.
- >
- > · The Project will establish relationships with local Koala conservation and rehabilitation organisations such as WIRES and the Australian Koala Foundation to review the Koala Management Protocol and guide the implementation of the Code of Practice for Injured, Sick and Orphaned Koalas.
- >

> · The Project will engage with research institutions to utilise the offset site for the research and monitoring of the Koala population in the Sallys Flat and Turon River Catchment areas.

>

> Please let me know if you require anything further and happy to discuss.

>

> Thanks

>

> Kim

>

>

> Kim Farrant

> Assistant Secretary |Assessments (NSW, ACT) & Fuel

> Environment Standards Division

> '02 6274 s22 | (s22

> s22

> •: GPO Box 787 CANBERRA ACT 2601

> [cid:image001.png@01D0E56F.973B97A0]<http://environment.gov.au/index.htm>

>

> <image001.jpg>

> <170116_CRWF_EPBC correspondance.pdf>

s22

From: s22
Sent: Friday, 17 February 2017 1:52 PM
To: s22
Cc: Matt Cahill; s22 Kim Farrant; s22
Subject: FW: EPBC 2011-6206 Crudine Ridge Wind Farm - final approval decision [SEC=UNCLASSIFIED]

Importance: High

G'day s22

I called and left a message on your phone before. I understand you wanted some advice about the briefing pack. I trust this answers your questions but feel free to ring me back.

Attachments D1 and G are to remain as tracked (keep in track changes):

- D1 illustrates where the Department has made changes to the conditions from the proposed approval decision brief.
- G represents changes that the proponent requested to conditions.

For clarity, the following documents will need to be signed by the Minister when he makes his decision:

- PDMS Cover Brief
- Final Decision Brief (Attachment A of the Cover Brief)
- Final Decision Notice (Attachment D)
- Letter to proponent (Attachment E)
- Letter to NSW Government (Attachment E)

Regards

Mike

Mike Smith
Ag Assistant Secretary
Assessments and Fuels Branch
ESD
Department of the Environment and Energy

(02) 6274 s22

From: s22
Sent: Friday, 17 February 2017 1:27 PM
To: s22 @environment.gov.au>
Subject: FW: EPBC 2011-6206 Crudine Ridge Wind Farm - final approval decision [SEC=UNCLASSIFIED]

Sent with Good (www.good.com)

From: s22
Sent: Friday, 17 February 2017 2:13:15 AM
To: Smith, Mike
Cc: de Brouwer, Gordon; Knudson, Dean; Cahill, Matt; Farrant, Kim; s22
Subject: RE: EPBC 2011-6206 Crudine Ridge Wind Farm - final approval decision [SEC=UNCLASSIFIED]

Mike

Attachments D1 and G are in mark up. I assume I accept track changes?

Thanks

s22

From: Smith, Mike
Sent: Friday, 17 February 2017 12:27 PM
To: s22 <[redacted]@environment.gov.au>
Cc: de Brouwer, Gordon <s22 [redacted]> Knudson, Dean
s22 [redacted] Cahill, Matt <s22 [redacted]> Farrant, Kim
s22 [redacted]; s22 [redacted] <[redacted]@environment.gov.au>
Subject: FW: EPBC 2011-6206 Crudine Ridge Wind Farm - final approval decision [SEC=UNCLASSIFIED]

Gday s22

Attached is the final briefing package for Crudine Ridge. PDMS record to follow.

Cheers, Mike

Please find attached the final decision briefing documentation (22 documents attached):

1. PDMS Cover Brief
2. Final Decision Brief (Attachment A of the Cover Brief)
3. Attachment B of the Final decision brief is the Proposed Approval Decision package – this is located in the Minister’s Electorate Office in Melbourne – **the Minister must have regard to this at time of signing the brief.**
4. Proponent comments on conditions (Attachments C & C1)
5. Final Decision Notice (Attachment D of the Final Decision Brief [please note Schedules 1 & 2 to Attachment D are maps also included as PDF files]). Attachment D1 is a tracked change version of the conditions.
6. Letters x 2, proponent and NSW Minister for Planning (Attachment E)
7. Comparison of NSW and Commonwealth conditions (Attachment F)
8. Department’s response to the proponent’s requested changes to conditions (Attachment G)
9. ERT report (Attachment H) & ERT review table (Attachment H1)
10. Line area advice for WHMD (Attachment I)
11. Line area advice for compliance (Attachment J)
12. Crudine presentation from proponent (Attachment K)
13. Issues raised during the 15 December 2016 site visit and the Department’s consideration (Attachment L).
14. Letter from proponent dated 17 January 2017 (Attachment M)
15. 2016 Threat abatement plan for competition and land degradation by rabbits and background document (Attachment N and N1)

Mike Smith
Ag Assistant Secretary
Assessments and Fuels Branch
ESD
Department of the Environment and Energy

(02) 6274 s22

s22

From: Farrant, Kim
Sent: Thursday, 9 March 2017 5:24 PM
To: s22
Cc: de Brouwer, Gordon; Dean Knudson; Matt Cahill; s22
Subject: Response to s47F correspondence [SEC=UNCLASSIFIED]
Attachments: MC17-000120 - Response to s47F December and March.docx

Hi s22

Please find attached a response to the s47F letters of December 16 and March 17. I will submit this letter shortly via PDMS.

The notes of last Friday's visit to the site and talking points will be provided shortly.

Happy to discuss.

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | 📠 s22

✉ s22

📍 GPO Box 787 CANBERRA ACT 2601





THE HON JOSH FRYDENBERG MP
MINISTER FOR THE ENVIRONMENT AND ENERGY

MC17-000120

s47F and s47F
email: s47F@gmail.com

Dear s47F and s47F

I refer to your letters of 21 December 2016 and 8 March 2017 concerning the Crudine Ridge Wind Farm in which you request a review of the referral and assessment of this project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

As outlined in the Department of the Environment and Energy's letters to you of 30 June 2016 and 2 August 2016, the Crudine Ridge Wind Farm proposal is a controlled action under section 75 of the EPBC Act. Matters of national environmental significance identified as relevant for the assessment were listed threatened species and communities and listed migratory species.

Your letters again raise concerns about potential impacts from the proposed wind farm on Koalas. The Department outlined in its previous correspondence that, in accordance with s158A of the EPBC Act, the Koala cannot be considered for the purposes of the approval decision on the Crudine Ridge Wind Farm because it was not a listed threatened species at the time the referral decision was made.

You also raise concerns about four other listed threatened species.

Only two sub-species of the Red-tailed Black Cockatoo are listed under the EPBC Act, the South-eastern Red-tailed Black-Cockatoo (*Calyptorhynchus banksii graptogyne*) and the Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii naso*). As neither species occurs in NSW, the Red-tailed Black Cockatoo cannot be considered for the purposes of the approval decision.

The endangered Spotted-tail Quoll, the vulnerable Pink-tail Worm-lizard, and vulnerable Robertson's Peppermint were considered at the time of the Department's referral decision and during the Department's assessment of the proposal. None of these species were found to be significantly impacted by the proposal. While a small amount of potential habitat may be removed as part of the proposed action, the removal is unlikely to decrease the availability or quality of habitat to the extent that these species are likely to decline, in accordance with the Department's significant impact criteria. These criteria are available at:

<https://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance>.

I understand that these matters were again raised at a meeting on 1 March 2017, attended by s47F s47F and s47F with representatives from my Department and my Office. In addition, you raised concerns about the proposed transport route for the wind farm infrastructure along Aaron's Pass Road and its impact on areas of White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland and the project's impact on the small Purple Pea.

In order to address your concerns, officers from the Department (including an expert ecologist) again travelled to Pyramul, New South Wales on 3 March 2017 to inspect the site. In addition, I have directed the Department to seek the advice of the Threatened Species Commissioner in relation to the Small Purple Pea. This advice will supplement the Department's assessment of the Small Purple Pea, and the findings of this site visit. The Threatened Species Commissioner's advice will be included in the information I consider when making the final decision on whether or not to approve the proposed wind farm under the EPBC Act.

In relation to your request for a review of the referral and assessment of this proposal, the Department continues to review all relevant material as part of the EPBC Act assessment process, including the referral information and materials from the New South Wales assessment process.

There is no power within the EPBC Act that would enable a review or reconsideration of the referral decision to cover species listed after the 27 April 2012 referral decision, such as the Koala. This is due to the application of s158A, which prevents new listings from being considered after the referral decision has been made. The EPBC Act puts this beyond doubt through s158A(5) which states that "this section has effect despite any other provision of this Act and despite any other law".

In relation to your concerns about the New South Wales assessment process, as previously advised, the Commonwealth has no power under the EPBC Act to review the Planning Assessment Commission's decision on this project. Any concerns you have about the Commission's process should be directed to the New South Wales Government.

Thank you for writing on this matter.

Yours sincerely

JOSH FRYDENBERG

s47F

From: s47F
Sent: Thursday, 9 March 2017 7:49 PM
To: Kim Farrant
Cc: de Brouwer, Gordon; Dean Knudson; Matt Cahill; s47F
Subject: Re: Crudine site visit report [SEC=UNCLASSIFIED]
Attachments: image001.jpg

Thanks Kim and team!

> On 9 Mar 2017, at 19:42, Farrant, Kim <Kim.Farrant@environment.gov.au> wrote:
>
> Hi s47F
>
> Please find attached the Crudine site visit report. Talking points will come through first thing in the morning.
> Happy to discuss.
>
> Thanks
>
> Kim
>
> Kim Farrant
> Assistant Secretary | Assessments (NSW, ACT) & Fuel Environment
> Standards Division ' 02 6274 s47F | (s47F
> •:
> s22
> •: GPO Box 787 CANBERRA ACT 2601
> [cid:image001.png@01D0E56F.973B97A0]<http://environment.gov.au/index.h
> tm>
>
> <image001.jpg>
> <Site Visit Report + KF comment.docx>

s22

From: Farrant, Kim
Sent: Friday, 10 March 2017 12:53 PM
To: s22
Cc: de Brouwer, Gordon; Dean Knudson; Matt Cahill; s22
Subject: TSC advice on Crudine and TPs [SEC=UNCLASSIFIED]
Attachments: RE: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]; TPs.docx

Hi s22

Gregory's advice came in a short while ago – attached.

Also attached are the TPs which reflect this advice.

Happy to discuss.

Thanks

Kim
Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | 📠 s22
✉: s22
📍: GPO Box 787 CANBERRA ACT 2601



From: s22
Sent: Friday, 10 March 2017 12:10 PM
To: Farrant, Kim s22
Subject: RE: Crudine site visit report [SEC=UNCLASSIFIED]

Kim

Do you have the TPs and the site report from s22 and s22?

Thanks

s22

From: Farrant, Kim
Sent: Thursday, 9 March 2017 7:42 PM
To: s22 <s22@environment.gov.au>
Cc: de Brouwer, Gordon s22; Knudson, Dean <s22@environment.gov.au>; Cahill, Matt s22; s22 <s22@environment.gov.au>; s22 <s22@environment.gov.au>
Subject: Crudine site visit report [SEC=UNCLASSIFIED]

Hi s22

Please find attached the Crudine site visit report. Talking points will come through first thing in the morning. Happy to discuss.

Thanks

Kim

Kim Farrant

**Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division**

☎ 02 6274 s22 | 📞 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



s22

From: Andrews, Gregory
Sent: Friday, 10 March 2017 12:24 PM
To: Farrant, Kim
Cc: Jonasson, Kylie; Cahill, Matt; s22 s22 Knudson, Dean
Subject: RE: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]

Hi Kim

Thank you for seeking my advice about the potential impact that the proposed Crudine Ridge Wind Farm may have on the Small purple pea. As you may know, the Small purple pea is one of 30 threatened plants that the Threatened Species Strategy aims to protect and assist in recovery.

Based on the information provided, I understand that the proposal has been assessed for up to 77 turbines, but that the configuration will involve 37 turbines. I understand that detailed fauna and flora surveys were undertaken across the study area in accordance with appropriate survey guidelines, and that 36 Small purple peas were recorded, most of which were found in the proposed external electricity transmission easement.

From my perspective, it is desirable to have an approval condition requiring the proponent to avoid any clearing of known locations of Small purple pea and to avoid clearing of any additional populations they may discover. The approval condition proposed by the department is clear and unambiguous in this regard. Any clearing of known , or additional populations, would be a breach of the approval conditions, and therefore a likely offence under the EPBC Act.

I'm pleased that such a strong condition is proposed, ensuring the protection of the Small purple pea, and I note that the nature of the project, and known locations of the Small purple pea near the transmission easement, should enable the proponent to microsite infrastructure to comply with the proposed condition. This approach of avoiding any impacts is consistent with the aims of the national recovery plan for the Small purple pea and Australia's Threatened Species Strategy.

Thank you for consulting on this matter.

Gregory Andrews
Threatened Species Commissioner



direct: +61 2 6274 s22

mobile: s22

From: Farrant, Kim
Sent: Wednesday, 8 March 2017 7:34 PM
To: Knudson, Dean s22 Andrews, Gregory
s22
Cc: Jonasson, Kylie <s22 Cahill, Matt <s22
s22 @environment.gov.au>
Subject: RE: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]

Hi Gregory

s22 has emailed a request to your area re a particular concern to do w the small purple pea but let's discuss

the broader issues tomorrow.

Thanks

Kim

Sent with Good (www.good.com)

From: Knudson, Dean
Sent: Wednesday, 8 March 2017 7:43:01 AM
To: Andrews, Gregory
Cc: Jonasson, Kylie; Cahill, Matt; Farrant, Kim; s22
Subject: FW: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]

Gregory,

Please discuss this issue with Kim, as a matter of priority.

Thanks.

From: s22
Sent: Wednesday, 8 March 2017 6:40 PM
To: Knudson, Dean <s22> Farrant, Kim <s22>
s22 <s22@environment.gov.au>
Subject: Fwd: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]

Sent from my iPhone

Begin forwarded message:

From: "Codina, Martin" <s22>
To: s22 <s22@environment.gov.au>
Subject: FW: Correspondence from Mr Andrew Gee MP [SEC=UNCLASSIFIED]

From: s22 (A. Gee, MP) <s22@aph.gov.au> On Behalf Of Gee, Andrew (MP)
Sent: Wednesday, 8 March 2017 5:50 PM
To: Frydenberg, Josh (MP) <s22>
Cc: Codina, Martin <s22>
Subject: Correspondence from Mr Andrew Gee MP

Good afternoon

Please find **attached** correspondence from Mr Andrew Gee MP, Federal Member for Calare.

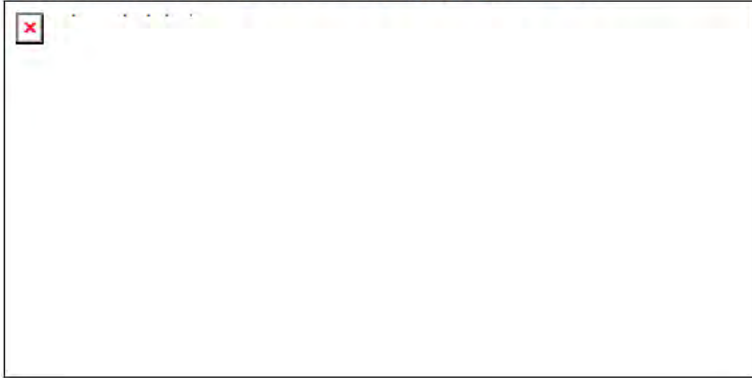
The original will follow in the post.

Kind regards,

s22 | Media Adviser

Office of Mr Andrew Gee MP
Federal Member for Calare
T 02 6361 s22 | Parliament House 02 6277 s22

Orange Electorate Office Suite 1/179A Anson Street Orange NSW 2800
Bathurst Electorate Office 85 Keppel Street Bathurst NSW 2795
Parliament House R1.83 CANBERRA ACT 2600



Talking Points re Crudine Ridge Wind Farm – 10 March 2017

- My Department has rigorously assessed this project under the EPBC Act. The assessment has included two visits to the area, on 15 December 2016 and 3 March 2017, the former of which I also attended, to meet with landowners involved in the project and to hear the concerns raised by those opposed to the project.
- Since my visit to the area in December 2016, I have also received a number of letters from local residents supporting and opposing the project.
- After thorough consideration of all the information before me, I have decided to approve the project under the EPBC Act. The project will not have a significant impact on matters of national environmental significance, so long as it is undertaken in accordance with the strict conditions I have placed on this approval.
- The conditions include that the proponent may only build up to 37 turbines — a reduction of 40 turbines from the initially proposed 77.
- I have also required that no turbines be built at a number of specific site locations identified in the 77 turbine layout approved by NSW. These turbines would have been the most visible turbines from the two residences known as SFR04 and SFR05 which I believe belong to the s47F family.
- I would consider it to be inconsistent with my conditions of approval, and a breach of the EPBC Act, if the proponent were to build turbines at the locations at which I have stipulated they not be built, or if the wind farm were to comprise more than 37 turbines.
- In placing the 37 turbines the NSW approval conditions, which are reinforced by my conditions, require that no wind turbine is moved more than 100 metres from the site locations.
- If this proponent, or anyone else for that matter, was to propose a new development in the area that may have a significant impact on nationally protected matters, it would also require referral and consideration under the EPBC Act.
 - That consideration would need to take into account whether there would be any impacts on listed threatened species, including koalas.
- I have also ensured through my approval conditions that impacts to the Small Purple Pea will be avoided. In addition to my Department's advice, the Threatened Species Commissioner has advised that the condition requiring the proponent to avoid any clearing of known locations of Small purple pea and any additional populations they may discover is clear and unambiguous. I am confident the condition will protect this listed species.
- I know that my decision to approve this project will disappoint those residents in the area who are opposed to the project. However, this project meets all requirements under the EPBC Act and, subject to my conditions, will ensure protection of all nationally protected matters relevant to the project.

s22

From: Farrant, Kim
Sent: Friday, 10 March 2017 6:18 PM
To: s22
Cc: de Brouwer, Gordon; Dean Knudson; Matt Cahill; s22
Subject: Crudine Ridge final decision brief [SEC=UNCLASSIFIED]
Attachments: Final Approval EPBC Act Brief - Attachment A .docx; MS16-002249 - Covering Brief.docx

Hi s22

Please find attached the Crudine Ridge covering brief and final decision brief for the Minister's consideration. I have not included all of the attachments in this email as they are numerous.

I will shortly forward the whole package via PDMS.

Happy to discuss.

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



Copy to

To: Minister for the Environment and Energy (for decision)Secretary
Mr Knudson
Mr Cahill**EPBC ACT FINAL APPROVAL DECISION: CRUDINE RIDGE WIND FARM, NSW
(EPBC 2011/6206)**

Chief of Staff

Timing: 14 March 2017

s22

Recommendations:

1. That you approve the Crudine Ridge Wind Farm proposal in accordance with the briefing package at Attachments A to P1.

Approved / Not approved**Minister:**

Date:

Comments:

Clearing Officer: Sent: 10/03/2017	Kim Farrant	Assistant Secretary Assessments (NSW, ACT) and Fuel Branch/ESD	Ph: 02 6274 s22 Mob: s22
Contact Officer:	s22	Director, Northern NSW Assessment Section	Ph: 02 6274 s22 Mob: s22

Key Points:

1. Crudine Ridge Wind Farm Pty Ltd (the proponent) proposes to construct and operate a new wind farm located approximately 45 km south of Mudgee and 45 km north of Bathurst on the Central Tablelands of NSW.
2. The NSW Planning Assessment Commission issued its Determination approving the project for up to 77 turbines, on 10 May 2016, with conditions.
3. Subsequent to the EPBC Act proposed approval decision of 14 July 2016, a reduced wind turbine layout of 37 turbines has been put forward by the proponent for consideration. The proponent considers that the reduced turbine layout will achieve environmental gains and will accommodate the concerns of neighbouring residents, in light of social and economic impacts.
4. The project will generate up to 420 gigawatt hours of electricity annually (based on an installed electricity capacity of up to 135 megawatts), which is equivalent to powering 56,700 homes. The project is calculated to save about 363,500 tonnes of greenhouse gas emissions each year, and contribute approximately 0.67 per cent towards the national Renewable Energy Target. The project is expected to employ up to 75 people during construction and 15 people during operations.
5. The Department recommends approval of the proposed action under Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), with conditions, as outlined in the final approval decision brief at Attachment A. There are limited impacts to EPBC matters, and the final approval requires that the proponent provides environmental offsets.

Sensitivities:

6. The proposal is locally contentious, with some residents writing to you, the Office of the Wind Farm Commissioner, the Department, and previously to former Minister Hunt about their concerns, which largely relate to the NSW Planning Assessment Commission's (PAC) decision-making process as well as impacts on species and ecological communities. Additional concerns include traffic, visual amenity, safety and noise issues.

Consultation:

7. On 15 December 2016, you met with: Mr Andrew Gee MP (member for Calare), the proponent, and local landowners for and against the project to learn more about the project and canvas community views. Details of the site visit, including advice regarding issues raised on the day, are contained in the final approval decision briefing package at [Attachment A](#).
8. On 3 March 2017, Departmental officers, including an expert ecologist, undertook a site visit to inspect areas identified for vegetation clearing along Aarons Pass Road. The clearing is necessary to facilitate infrastructure transport to the proposal site:
 - a. The inspection confirmed the extent of clearing of the EPBC Act protected White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Box Gum Woodland) was confined to areas which had been identified and assessed in the proposal's environmental assessment.
 - b. There was no indication that additional areas of Box Gum Woodland would be cleared. The majority of vegetation indicated for removal in the proponent's road survey and upgrade assessment was not an EPBC Act protected matter.
9. The Threatened Species Commissioner was consulted in relation to impacts on the Small Purple Pea.
10. The proponent, the former Minister for Resources, Energy and Northern Australia, and the NSW Minister for Planning were consulted on the proposed decision, made by the Departmental delegate on 14 July 2016.

Attachments

- A: EPBC Act final approval decision brief (including sub attachments)

ATTACHMENT A

To: Minister for the Environment and Energy (for decision)

**Approval Decision Brief (assessment report) – Crudine Ridge Wind Farm, NSW
(EPBC 2011/6206)**

Timing: 14 March 2017

Recommendations:

1. Consider the information in the Proposed Approval Decision Brief at Attachment B, including the assessment report, assessment documentation, relevant legal provisions and legal considerations.

Considered / please discuss

2. Consider the responses to the invitation for comment on the proposed decision at Attachment C.

Considered / please discuss

3. Consider, and have regard to, the approved conservation advices at Attachment E of the proposed decision brief (Attachment B), and the new 2016 *Threat abatement plan for competition and land degradation by rabbits* at Attachment N and its background document at Attachment N1.

Considered / please discuss

4. Approve, for each controlling provision, the action as summarised in the table over the page.

Approved / Not approved

5. Agree to attach the conditions of approval as set out in Attachment D.

Agreed / Not agreed

6. If you approve 4 and agree to 5, accept the reasoning in the departmental briefing package as the reasons for your decision.

Accepted / Not accepted

7. Sign the notice of your decision at Attachment D.

Signed / Not signed

8. Sign the letters at Attachment E advising the person proposing to take the action, and other relevant parties, of your decision.

Signed / Not signed

Summary of recommendations on each controlling provision:		
Controlling Provisions for the action	Recommendation	
	Approve	Refuse to Approve
Sections 18 and 18A (Listed threatened species and communities)	Approve	
Sections 20 and 20A (Listed migratory species)	Approve	
Minister:		Date:
Comments:		

Key Points:

1. The purpose of this submission is to seek your consideration of a final approval decision under Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
2. On 14 July 2016, your delegate proposed to approve a proposal by Crudine Ridge Wind Farm Pty Ltd (the proponent) to construct and operate a new wind farm located approximately 45 km south of Mudgee and 45 km north of Bathurst on the Central Tablelands of NSW.
3. The NSW Planning Assessment Commission (PAC) issued its Determination approving the project for up to 77 turbines, on 10 May 2016, with conditions.
4. On 17 January 2017, the proponent proposed a reduced wind turbine layout for consideration (Attachment M). The proponent has proposed a final layout of 37. The proponent considers that the reduced turbine layout will achieve environmental gains and will accommodate the concerns of neighbouring residents, in light of social and economic impacts.
 - a. The 37 turbine layout represents over a 50 per cent reduction in turbine numbers approved under the NSW PAC approval. The proponent has not increased the size of the turbines from that in the original referral in order to achieve the reduction. The turbine height is limited to 160 metres by condition 1a of Attachment D which draws in the NSW Development Consent SSD-6697 administrative condition 6: *'No wind turbines may be greater than 160 metres in height (measured from above ground level to the blade tip).'*
 - b. The proponent is therefore required to construct turbines with a maximum tip height no greater than 160 metres in height. This is the height which has been publicly proposed by the proponent throughout the assessment, including the EPBC Act referral, and which has been publicly available on the Department's website since 29 November 2011. The public consultation documentation made available through NSW

Environmental Assessment (for example volume 1 of the Environmental Assessment, December 2012), states throughout, the turbine height will be 160 metres.

5. Under sections 130 and 133 of the EPBC Act, you are now required to decide whether to approve the proposed action, and if you decide to approve it, what conditions you will attach to the approval under section 134 of the EPBC Act.
6. The Department considers that impacts to matters of national environmental significance will not be unacceptable provided the action is undertaken in accordance with the commitments made by the proponent, and recommended approval conditions at Attachment D.

Changes as a result of the reduced turbine layout

7. The reduced layout of 37 turbines is less than half of the 77 turbines approved under the NSW PAC approval. The reduction in turbines will have the following environmental gains:
 - Vegetation clearance for the turbine foundations and crane hardstands will be reduced by approximately half.
 - Bird collision risk potential will be reduced, improving outcomes for Regent Honeyeater (*Anthochaera phrygia*), Swift Parrot (*Lathamus discolor*) and migratory bird species.
 - There will be less haulage required and fewer truck movements, reducing wildlife impacts on roads during the construction phase, including potential impacts to local Koala (*Phascolarctos cinereus* - combined populations of Qld, NSW and the ACT) populations.
8. In relation to social impacts, reducing the amount of turbines is likely to decrease the potential visual impacts in the south of the project area.
9. To accommodate the 37 turbine layout, three additional conditions have been added to the approval notice.
 - a. Condition number 5 explicitly limits the number of turbines to 37 (the number nominated by the proponent) that can be constructed, operated, replaced and upgraded.
 - b. Condition number 6 identifies specific areas where the turbines must not be located.
 - c. Condition number 7 limits the construction of any additional turbines at a future time, except for those covered by the approval.
10. Attachment D1 highlights changes made to the proposed decision notice since your delegate made the proposed decision on 14 July 2016. The comparison of NSW and Commonwealth conditions has been updated based on changes to the conditions, and is at Attachment F.
11. **Note:** The following paragraph (item 12) and the advice attached at Attachments O and O1 are subject to legal professional privilege. Their contents should not be disclosed to, or discussed with, third parties.

s42

Issues/ Sensitivities

13. The proposal is locally contentious due to concerns about traffic, visual amenity, safety, environmental and noise issues. In the context of socio-economic considerations, the NSW assessment concluded that:

Noise Impacts

- a. Some noise will be generated by wind turbines. However, on reaching its determination, the NSW PAC was satisfied that the noise assessment provided by the NSW Department of Planning and Environment is robust, and appropriate conditions are in place for noise monitoring.
- b. Micro-siting (optimising turbine layout to maximise energy production in balance with minimising potential impacts on residential receivers) is an important flexibility required for turbine placement.
- c. It is satisfied that with the adoption of the amended micro-siting condition, the potential for any increase of adverse impact on non-associated residences (i.e. those not hosting a turbine) is averted.
- d. It is satisfied that the proposed night time noise levels would be below the levels considered to disturb sleep.

Visual Impacts

- e. The proposed wind farm would have an acceptable visual impact for non-associated landholders, an outcome achieved through the inclusion of amended and additional conditions in the NSW approval relating to voluntary acquisition and visual mitigation installation.

Traffic Management and Safety

- f. The proponent has identified an alternative transport route for over-sized vehicles via Mudgee and Aarons Pass Road from the Port of Newcastle. The proponent also identified a preferred transport route for standard heavy vehicle access to the southern end of the project site via Hill End Road and the Ilford-Sofala Road or Sofala Road. The alternative routes were identified by the proponent following safety and traffic concerns raised during public submissions in the NSW assessment process.

Potential Health Impacts

- g. The recently released National Health and Medical Research Council (NHMRC) statement on wind farms and human health confirms that 'there is currently no consistent evidence that wind farms cause adverse health outcomes in humans', but acknowledges that the direct evidence on health effects is of poor quality. The statement also suggested that further health-based studies should be limited to exposures in close proximity to wind farms (i.e. less than 1.5 km).
 - h. The project would comply with applicable criteria, and any exposure to low frequency noise, infrasound and tonality would be negligible. Consequently, there is minimal risk of any residual health effects from the project.
14. The Department accepts the NSW PAC and NSW assessment report conclusions regarding these matters, noting that some of these potential impacts such as traffic, visual and noise, may be reduced under the 37 turbine layout.

Public submissions on the project and site visits

15. The proponent's Environmental Assessment was publicly exhibited from 12 December 2012 to 19 March 2013 (97 days), and received a total of 120 submissions, including 12 from public authorities, 6 from special interest groups and 102 from the general public. Of the 102 public submissions, 93 were against the project, 6 were for the project and 3 were not specified. Further details on the public consultation process undertaken as part of the NSW Assessment are outlined in the proposed approval decision brief at [Attachment B](#).
16. During the EPBC approval decision phase, further correspondence on the project has been received by you, the former Minister for the Environment, the Hon Greg Hunt MP, the Department, and Office of the National Wind Farm Commissioner. These public submissions have not been solely against the proposal, with some actively supporting it.
 - a. The submissions in support of the proposal highlighted the project's benefits including: the community fund, increases in employment, renewable power supply, and the importance of another revenue stream for landowners, to help support investment in agricultural activities.
 - b. The submissions in opposition to the project raised some of the following matters: adequacy of the assessment and concerns EPBC Act protected matters had not been properly considered, impacts to wildlife, soil instability and the potential for erosion, health and visual impacts, land devaluation, and the transportation of the turbines along Aarons Pass Road. The issues raised by landholders opposed to the project, and the Department's consideration of these issues, are at [Attachment L](#).
17. On 15 December 2016, you met with: Mr Andrew Gee MP (member for Calare), the proponent, and local landowners representing opinions for and against the project, to learn more about the project and canvas community views:
 - a. You attended a presentation about the proposed action from the proponent. A copy of the presentation is at [Attachment K](#). The issues raised by landholders opposed to the project, and the Department's consideration of these issues, are at [Attachment L](#).
18. On 3 March 2017, Departmental ecologists, a compliance officer and Departmental officials, undertook a site visit to inspect the offset site, and areas identified for vegetation clearing along Aarons Pass Road.
 - a. The inspection confirmed the extent of clearing of the EPBC Act protected White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Box Gum Woodland) was confined to areas which had been identified and assessed in the proposal's environmental assessment, along Aarons Pass Road. There was no indication that additional areas of Box Gum Woodland would be cleared. The majority of bush indicated for removal in the proponent's road survey and upgrade assessment was not an EPBC Act protected matter.
 - b. Officers observed the Box Gum Woodland at the offset site, as mapped in Eco Logical's Assessment.

Legal considerations:

19. Except for issues discussed in this brief, the matters for consideration and factors to be taken into account for your decision remain as set out in the proposed approval decision brief ([Attachment B](#)).

20. The legal considerations for your decision making are outlined within the legal considerations report and proposed approval decision brief at [Attachment B](#). They include that you must have regard to any approved conservation advice for a relevant listed threatened species or ecological community.
- a. The approved conservation advice for the Regent Honeyeater is at Attachment E of the proposed approval decision brief (at [Attachment B](#)).
 - b. The approved conservation advice for the Swift Parrot is at Attachment E of the proposed approval decision brief (at [Attachment B](#)).
 - c. There is no approved conservation advice for White Box Yellow Box Blakely's Red Gum Grassy Woodland and Derived Native Grassland (Box Gum Woodland).
21. In deciding whether or not to approve, for the purposes of a subsection of section 18 or section 18A of the EPBC Act, the taking of an action, and the conditions to attach to such an approval, you must not act inconsistently with a recovery plan or threat abatement plan.
22. Since the delegate's proposed approval decision of 14 July 2016 a new relevant *Threat abatement plan for competition and land degradation by rabbits* (rabbit TAP) ([Attachment N](#) and background document at [Attachment N1](#)) has come into force, superseding the 2008 *Threat abatement plan for competition and land degradation by rabbits* (superseded plan at Attachment G of [Attachment B](#)).
- a. The goal of the rabbit TAP is to minimise the impact of rabbit competition and land degradation on biodiversity in Australia and its territories by: protecting affected threatened species and ecological communities, and preventing further species and ecological communities from becoming threatened.
 - b. The Department considers that the proposal is unlikely to contribute to increasing feral animal activity across the project site, and instead is likely to assist with the management of these species through the proposed mitigation measures to be implemented within the project area and on the proposed offset sites. On this basis the proposed action is not considered to be inconsistent with the rabbit TAP.
23. The other relevant recovery plans and threat abatement plans for your consideration are at Attachments F and G of the proposed approval decision brief (at [Attachment B](#)).
24. The Department has considered all relevant Recovery Plans and Threat Abatement Plans and is of the view that approval of this action would not be inconsistent with these plans. The offset site proposed by the proponent is expected to contribute to the objectives of the relevant recovery plans, by helping to provide ongoing protection for the Regent Honeyeater, Swift Parrot and Box Gum Woodland impacted by the project.
25. The recommended period of approval expires on 28 February 2052 (35 years) to take into account construction, operation and decommissioning of the project, which is reflected in the approval notice at [Attachment D](#).

Listing events

26. In accordance with s158A of the EPBC Act the decision maker is to disregard listing events (except delistings or downlistings) that have occurred after the controlled action decision. The legal considerations report identifies where delistings have occurred. The latest protected matters search report is at [Attachment H](#), and includes a summary of newly listed

or uplisted species that cannot be considered under s158A of the EPBC Act (at [Attachment H1](#)).

Consideration of impacts to Koalas

27. In their letter of 17 January 2017, the proponent has indicated that:

- a. The offsets for the project will protect and restore over 674 ha of suitable Koala habitat.
- b. Koala Management Protocols to reduce the likelihood of impacts to Koalas during construction, will be implemented.
- c. Engagement with research institutions, to utilise the offset site for the research and monitoring of the Koala population in the Sallys Flat and Turon River catchment areas, will occur.

28. While the Koala was listed as Vulnerable under the EPBC Act on 27 April 2012, this listing occurred subsequent to the controlled action decision on 27 February 2012. In accordance with s158A of the EPBC Act, this means that the Koala cannot be considered as a MNES for the purposes of your decision.

Consideration of impacts to *Swainsona recta* (Small Purple Pea)

29. Impacts to the Small Purple Pea were considered in the Proposed Approval Decision Brief at [Attachment B](#). The proposal's ecological assessments identified thirty-six (36) individuals of the species in the proposal's study area, most of which were found in the proposed external electricity transmission line easement. The proponent committed to designing the project to avoid known plant locations, and these locations have been included as part of the constraints mapping for the project, the Department considers that a significant impact is not likely for this species.

30. To ensure the protection of the Small Purple Pea, the Department recommends that proposed condition 4 ([Attachment D](#)) (which prohibits the person taking the action from clearing known locations of the species, and requires that any additional populations of the species not be cleared without the approval of the Minister) be attached to the approval.

31. To confirm proposed condition 4 adequately provides for the protection of the Small Purple Pea, the Department sought advice from the Threatened Species Commissioner. On 10 March 2017, the Commissioner replied ([Attachment P](#)), confirming condition 4 will adequately protect the species.

32. The Department has considered the Small Purple Pea recovery plan at [Attachment P1](#), and is of the view that approval of this action would not be inconsistent with this plan, as impacts to the species will be avoided.

Consultation on proposed approval:

33. In accordance with sections 131 and 131AA of the EPBC Act, on 14 July 2016, your delegate wrote to the proponent and you as the then Minister for Resources, Energy and Northern Australia, inviting comments on the proposed approval decision.

34. On 14 July 2016, the delegate also wrote to the then NSW Minister for Planning, the Hon Rob Stokes MP to consult on the proposed approval decision.

35. On 19 July 2016, the proponent responded to the invitation for comment on the draft approval and conditions. The outcome of the consultation is as follows and responses to the proposed decision are at [Attachment C](#).

Consulted party	Comment
Designated Proponent	Generally agree to conditions, however amendments to some conditions and definitions requested
Former Minister for Resources, Energy and Northern Australia	No comment
Former NSW Minister for Planning	No comment

36. The proponent advised in their response that they appreciate the efforts of the Department to align the conditions with those of the NSW Planning Assessment Commission approval, however requested a number of amendments to the proposed approval decision to:

- Apply conditions only relevant to protected matters;
- Limit exposure to events out of their control; and
- Provide a process for unforeseen circumstances arising during construction and operation.

37. In consultation with Department's Compliance and Monitoring Section, each of the proposed changes were reviewed, and where appropriate there have been some changes to the proposed conditions as per [Attachment D1](#).

38. The proponent requested some changes to standard administrative conditions, standardised terminology, and processes. To ensure the conditions of approval are consistent with NSW conditions, and are enforceable, the Department has not recommended any changes to standard conditions or terminology.

39. On 22 July 2016, the Department provided the proponent with a draft response to the comments they had made on the proposed conditions of approval. A copy of the Department's response to the proponent's comments on the proposed conditions is found at [Attachment G](#).

40. On 15 February 2017, the Department provided a draft revised set of conditions (on the basis of a 38 turbine layout) to the proponent for comment. On 16 February 2017, the proponent indicated they were comfortable with the change to the conditions ([Attachment C1](#)).

Line area consultation

41. The Department confirmed on 13 February 2017, with the Wildlife, Heritage and Marine Division, that all relevant Conservation Advices, Recovery Plans, and Threat Abatement Plans are still current, with the exception of the 2016 *Threat abatement plan for competition and land degradation by rabbits*, from the date of the proposed approval decision on 14 July 2016 ([Attachment I](#)).

42. The proposed amendments to the conditions of approval (from the proposed approval decision), were reviewed and agreed to by the Compliance and Monitoring Section ([Attachment J](#)). The new conditions (reflecting a reduced turbine layout) have also

subsequently been discussed with the Compliance and Monitoring Section during their development.

Notification of decision:

- 43. Under section 133(3) of the EPBC Act, you must give a copy of the approval to the person named in the approval. A draft letter to the proponent is at Attachment E for signature.
- 44. The Department also recommends that you notify the NSW Minister for Planning, the Hon Anthony Roberts MP, of your approval decision. A draft letter is at Attachment E for signature.

Kim Farrant
Assistant Secretary
Assessments (NSW, ACT) and Fuel Branch
Ph: 6274 s22
10 March 2017

s22
Director
Northern NSW Assessments Section
Ph: 6274 s22

ATTACHMENTS

- A: N/A – left vacant for consistent numbering with PDMS MS16-002249 cover brief (Attachment A to the cover brief is this Approval Decision Brief)
- B: Copy of Proposed Approval Decision Brief
- C: Response to invitation for comment on proposed decision
- C1: Email from the proponent dated 16 February 2017
- D: Notice of decision
- D1: Tracked changes version showing changes from proposed decision notice
- E: Letters to the proponent and NSW Minister for Planning
- F: Comparison of NSW and Commonwealth conditions
- G: Department's response to the proponent's requested changes to conditions
- H: ERT report
- H1: ERT review table
- I: Line area advice – WHMD
- J: Line area advice – Compliance
- K: Crudine presentation from CWP
- L: Issues raised during site visits on 15 December 2016 and 3 March 2017

- M: Letter from proponent dated 17 January 2017
- N: Australian Government Department of the Environment and Energy (2016). *Threat abatement plan for competition and land degradation by rabbits*. Commonwealth of Australia, Canberra. Available from:
<http://www.environment.gov.au/biodiversity/threatened/publications/tap/competition-and-land-degradation-rabbits-2016>
- N1: Australian Government Department of the Environment and Energy (2016). *Background document: Threat abatement plan for competition and land degradation by rabbits*. Commonwealth of Australia, Canberra. Available from:
<http://www.environment.gov.au/biodiversity/threatened/publications/tap/competition-and-land-degradation-rabbits-2016>
- O: General Council Branch Advice, dated 24 February 2017 [*This advice is subject to legal professional privilege. Its contents should not be disclosed to or discussed with third parties*].
- O1: General Council Branch Advice, dated 15 February 2017 [*This advice is subject to legal professional privilege. Its contents should not be disclosed to or discussed with third parties*].
- P: Threatened Species Commissioner Advice for the *Swainsona recta* (Small Purple Pea), dated 10 March 2017.
- P1: NSW Office of Environment and Heritage (2012). *National Recovery Plan for Small Purple-pea* (*Swainsona recta*). Hurstville, NSW. Available from:
<http://www.environment.gov.au/resource/small-purple-pea-swainsona-recta-national-recovery-plan>

s22

From: Farrant, Kim
Sent: Friday, 10 March 2017 6:25 PM
To: s22
Cc: de Brouwer, Gordon; Dean Knudson; Matt Cahill; s22
Subject: RE: Crudine Ridge final decision brief [SEC=UNCLASSIFIED]

I'm still in the office if you have time to discuss it now?
Kim

Kim Farrant

**Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division**

☎ 02 6274 s22 | 📠 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601



From: s22
Sent: Friday, 10 March 2017 6:25 PM
To: Farrant, Kim <s22>
Cc: de Brouwer, Gordon <s22> Knudson, Dean
<s22> Cahill, Matt s22 s22
s22 @environment.gov.au; s22 @environment.gov.au
Subject: Re: Crudine Ridge final decision brief [SEC=UNCLASSIFIED]

Thanks. We did not send letter today. We will need to discuss Tuesday morning.

Have a good weekend.

s22

On 10 Mar 2017, at 18:17, Farrant, Kim <s22> wrote:

Hi s22

Please find attached the Crudine Ridge covering brief and final decision brief for the Minister's consideration. I have not included all of the attachments in this email as they are numerous.

I will shortly forward the whole package via PDMS.

Happy to discuss.

Thanks

Kim

Kim Farrant

**Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division**

 02 6274 s22 |  s22

: s22

: GPO Box 787 CANBERRA ACT 2601

<image001.jpg>

<Final Approval EPBC Act Brief - Attachment A .docx>

<MS16-002249 - Covering Brief.docx>

s22

From: Kim Farrant
Sent: Wednesday, 27 November 2019 12:19 PM
To: s22
Subject: FW: Crudine Ridge Wind Farm - Response to s47F [SEC=UNCLASSIFIED]

Categories: Purple Category

Kim Farrant

Assistant Secretary | Marine Parks Branch
Parks Australia

02 6274 s22 | s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601

From: s22
Sent: Monday, 8 August 2016 8:18 PM
To: Kim Farrant <s22> > s22 @environment.gov.au>
Cc: de Brouwer, Gordon s22 Dean Knudson
s22 Matt Cahill s22 ; s22
s22 environment.gov.au>; s22 @environment.gov.au>
Subject: RE: Crudine Ridge Wind Farm - Response to s47F [SEC=UNCLASSIFIED]

Letter reads well – thanks Kim.

Appreciate the quick turnaround.

From: Farrant, Kim
Sent: Monday, 8 August 2016 6:21 PM
To: s22 s22
Cc: de Brouwer, Gordon; Knudson, Dean; Cahill, Matt; s22
Subject: Crudine Ridge Wind Farm - Response to s47F [SEC=UNCLASSIFIED]

Hi s22 and s22

Please find attached a response to s47F letter of 5 August. It will follow shortly in PDMS.

s47F has written to me today (attached). We have provided answers to the questions she asks (what is a controlled action? And why is 27 Feb a critical date) as part of the Minister's response rather than waiting for another response from the Department to be drafted. I have also acknowledged receipt of her email as she requested.

The table that you requested on Friday will be forwarded asap tomorrow, and also a QIB.

Please let me know if you need anything further, and happy to discuss.

Many thanks

Kim

Kim Farrant

Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 s22

✉: s22

📍: GPO Box 787 CANBERRA ACT 2601





THE HON JOSH FRYDENBERG MP
MINISTER FOR THE ENVIRONMENT AND ENERGY

Ref: MC16-009283

S47F

Dear **S47F**

Thank you for your letter of 5 August 2016 concerning the proposed Crudine Ridge Wind Farm in New South Wales. Thank you also for your previous correspondence on this matter during June and July 2016, to which the Department has responded.

The Australian Government considers that a sustainable renewable energy industry (including wind) has an important role to play in reducing Australia's greenhouse gas emissions. Development approvals for wind farms are, however, primarily matters for state and territory governments.

The Australian Government does have a role in regulating proposals relating to matters protected under national environmental law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This includes certain defined matters of national environmental significance including threatened species and communities, migratory species, wetlands of international importance and World and National Heritage sites.

For the Crudine Ridge Wind Farm proposal, a referral decision was made on 27 February 2012 under section 75 of the EPBC Act that the proposal was a controlled action. A controlled action decision means that a proposal requires assessment and approval under the EPBC Act before it can proceed. Matters of national environmental significance identified in the referral decision as relevant for the assessment of the proposed Crudine Ridge Wind Farm were listed threatened species and communities (sections 18 and 18A of the EPBC Act) and listed migratory species (sections 20 and 20A of the EPBC Act).

I note your concerns regarding potential impacts from the proposed wind farm on biodiversity, including Koalas and the Small Purple Pea. Section 158A of the EPBC Act mandates that any listing events (including a species becoming a listed threatened species) subsequent to a controlled action decision cannot be considered a relevant matter for the purposes of an approval decision. As such, the Koala cannot be considered for the purposes of the EPBC Act approval decision on the Crudine Ridge Wind Farm proposal because it was not a listed threatened species at the time the referral decision was made.

In relation to your concerns regarding the endangered Small Purple Pea, I understand that the Department has previously identified this issue, and it is being considered as part of the

approval decision. If required, conditions may be imposed on the proponent to avoid significant impacts on this species.

On 2 August 2016 Ms Kim Farrant wrote to you and advised that a final decision on whether or not to approve the proposal under the EPBC Act was due on 15 July 2016. I am advised that this decision has been delayed, and that the Departmental delegate anticipates making a final decision in August 2016. Issues raised in your correspondence that relate to matters of national environmental significance, as well as social and economic matters, will be considered as part of the decision.

Thank you for writing on this matter.

Yours sincerely

JOSH FRYDENBERG

s22

From: s47F
Sent: Monday, 8 August 2016 11:38 AM
To: Farrant, Kim
Cc: s47F
Subject: Crudine Ridge Wind Farm

8\8\2016

Dear Ms Farrant,

RE: The letter you sent to s47F regarding Koala habitat at Crudine Ridge Wind Farm

The following is an extract from your correspondence with s47F

"Additionally, while the Koala was listed as Vulnerable under the EPBC Act on 27 April 2012, this listing occurred subsequent to the controlled action decision on 27 February 2012. In accordance with s158A of the EPBC Act, this means that the Koala cannot be considered as a MNES for the purposes of my decision".

Can you please explain what the controlled action decision is and why is the 27th of February 2012 a significant date.

Please acknowledge that you have received my email

Regards

s47F

s22

From: s22 [redacted]@industry.gov.au
Sent: Friday, 9 September 2016 4:46 PM
To: Kim Farrant <Kim.Farrant@environment.gov.au>
Subject: RE: Crudine Ridge Wind Farm [SEC=UNCLASSIFIED]

Great – thank you!

From: Farrant, Kim [mailto:s22 [redacted]]
Sent: Friday, 9 September 2016 4:43 PM
To: s22 [redacted]@industry.gov.au>
Subject: Crudine Ridge Wind Farm [SEC=UNCLASSIFIED]

Hi s22 [redacted]

The proposed Crudine Ridge Wind Farm is around 45km south of Mudgee.

A map of the electorate is at the following link.

<http://www.aec.gov.au/profiles/nsw/files/2016/2016-aec-nsw-a4-map-calare.pdf>

The Federal Member for Calare is Andrew Gee.

Also, fyi, we received today through PDMS a letter from Mr Gee requesting the Minister meet with the s47F [redacted] s47F [redacted] and s47F [redacted] (the family members who are the opponents of the wind farm).

Thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division
☎ 02 6274 s22 [redacted] | 📧 s22 [redacted]
✉: s22 [redacted]
📍: GPO Box 787 CANBERRA ACT 2601



s22

From: s22 [redacted]@industry.gov.au]
Sent: Monday, 12 September 2016 5:14 PM
To: Kim Farrant <s22 [redacted]>
Subject: Crudine Ridge [SEC=UNCLASSIFIED]

Hi Kim

Please hold off making a decision on this until I have been able to discuss with the Minister.

Thanks

s22 [redacted]

s22 [redacted]

Office of the Hon Josh Frydenberg MP

Minister for the Environment and Energy | Federal Member for Kooyong

4 Treasury Place, East Melbourne VIC 3002 | p: 03 9660 s22 [redacted]

Parliament House, Canberra ACT 2600 | p: 02 6277 s22 [redacted]

e s22 [redacted]@industry.gov.au | w: www.joshfrydenberg.com.au

s22

-----Original Message-----

From: s22

Sent: Wednesday, 21 December 2016 3:54 PM

To: Dean Knudson s22

Cc: Codina, Martin <s22> Kim Farrant s22

Subject: Re: Phone call | To discuss Crudine Ridge Wind Farm proposal [SEC=UNCLASSIFIED]

Can we please defer to 4.15 please for Martin and I?

Thanks

Sent from my iPhone

> On 21 Dec 2016, at 15:45, Knudson, Dean <s22> wrote:

>

> To participate in the teleconference please dial 1800 701 826 and use the guest code 717 297 5378, then press #.

>

> Kind regards

> s22

> Executive Assistant to Deputy Secretary Dean Knudson Environment

> Protection Group Department of the Environment and Energy

>

> p: 02 6274 s22 | e:

s22@environment.gov.au<mailto:s22@environment.

> gov.au>

>

>

>

>

>

> <meeting.ics>

s22

From: s22
Sent: Friday, 23 December 2016 10:48 AM
To: Kim Farrant <s22>
Subject: RE: Crudine ridge: background information on wind farm manufacturing [SEC=UNCLASSIFIED]

Thanks

From: Farrant, Kim
Sent: Friday, 23 December 2016 9:44 AM
To: s22 <s22@environment.gov.au>
Cc: Evans, Jo <s22>; Knudson, Dean <s22>; Cahill, Matt <s22@environment.gov.au>; s22 <s22@environment.gov.au>
Subject: Crudine ridge: background information on wind farm manufacturing [SEC=UNCLASSIFIED]

Hi s22

As requested, please find attached some brief background information on windfarm component manufacturing in Australia and trade agreements. My apologies for the delay in providing it to you.

Please let me know if you require anything further and happy to discuss.

Many thanks

Kim

Kim Farrant
Assistant Secretary | Assessments (NSW, ACT) & Fuel
Environment Standards Division

☎ 02 6274 s22 | 📠 s22

✉ s22

📍 GPO Box 787 CANBERRA ACT 2601



AUSTRALIAN WIND FARM MANUFACTURING CAPABILITY

Summary

1. Some Australian companies manufacture wind towers and some associated ancillary components, however we do not manufacture wind turbines, and we rely considerably on imports.
2. As well as financial considerations, on-site wind profiles influence turbine selection, as different turbines are designed to suit certain wind conditions.

s42

5. If seeking to favour domestic manufacturing there are also possible free trade implications.

Australian manufacturing capability

6. Generally, the towers for large scale wind farms can be manufactured in Australia, while the turbines and blades are built overseas.
7. Our initial investigations have identified three companies that manufacture and construct wind towers in Australia, these are:
 - Keppel Prince (Victoria) <http://www.keppelprince.com/default.asp?id=1,6,0,18>
 - E & A contractors (South Australia) <http://www.ealimited.com.au/>
<http://corporate.siemens.com.au/en/home/news-centre/press-releases/local-manufacturing-powering-south-australias-largest-wind-farm.html>
 - Crisp Bros. & Haywards (Tasmania) <http://www.haywards-steel.com/wind-farms>
8. Keppel Prince also supply and install internal components such as platforms, ladders, electrical cables, lights and fall arrest systems as well as site preparation, foundations, assembly of rotors, erection of towers and nacelles, electrical terminations, painting and welding. It is unclear if E&A contractors and Crisp Bros. & Haywards also offer these services.
9. Statistics on the percentage of parts manufactured in Australia and overseas are not readily available, however with additional time the Department may be able to analyse available data from constructed wind farms to provide further insight on this matter.
10. The on-site wind profile is a key parameter for selecting the most appropriate wind turbine size and different turbine sizes may be used across a single wind farm site. For example, a wind farm proposal assessed by the Department has provided typical sizes for turbine and blades and has stated that final sizing will be determined based on consideration of the wind turbines available on the market at the time, as well as the on-site wind conditions. These site specific requirements and market availability could potentially restrict the number of manufacturers that have the capability to meet specific project wind turbine requirements.
11. The Crudine Ridge Wind Farm EIS states that the supplier for the wind towers, turbines and other components will be determined through a tender process following receipt of development consent and finalisation of the design.

s42

S42

Trade Agreements

16. If considering whether to impose restrictions on sourcing materials for the wind farm industry, it is important to note that Australia is currently negotiating an Environmental Goods Agreement (EGA), which includes wind turbine products, with 17 members of the World Trade Organisation.
<http://dfat.gov.au/trade/agreements/environmental-goods-agreement/Pages/environmental-goods-agreement.aspx>
 - a. Australia chairs the negotiations and is playing a pivotal role in the development of the EGA.
 - b. A detailed Trade Sustainability Impact Assessment on the EGA was published on 19 April 2016. The assessment concluded that an ambitious EGA will have significant positive environmental, economic and social impacts. <http://www.egatradesia.com/resources>
 - c. The EGA will focus on reducing tariffs on products that benefit the environment. These products include solar panels, wind turbines, and energy efficiency, as well as air pollution, waste and water management technologies.
 - d. The global market for environmental goods was estimated to be worth US\$1 trillion when negotiations were launched in 2014, and is expected to expand to around US\$3 trillion by 2020. Australia's exports of environmental goods in 2014-15 were estimated at \$1.5 billion, and imports at \$8.7 billion.
 - e. WTO members currently participating in these negotiations are Australia, Canada, China, Costa Rica, the European Union and its 28 member states, Hong Kong, Iceland, Israel, Japan, Korea, New Zealand, Norway, Singapore, Switzerland, Chinese Taipei, Turkey and the United States.
17. In addition, imposing restrictions on the supply of materials may be in conflict with the principles of the Government's existing Free Trade Agreements, such as allowing domestic businesses access to cheaper inputs, introducing new technologies, and fostering competition and innovation.

s22

s22

s22

From: s22
Sent: Tuesday, 14 February 2017 2:37 PM
To: s22 @environment.gov.au
Cc: s22 @environment.gov.au; s22 @environment.gov.au; Bruce Edwards <Bruce.Edwards@environment.gov.au>; Kim Farrant <Kim.Farrant@environment.gov.au>; Matt Cahill <Matt.Cahill@environment.gov.au>
Subject: RE: Question: Strategic Assessment briefing [SEC=UNCLASSIFIED]

Yes, assuming we have brief in advance. No guarantees but we should be ready if the Minister does want to make a decision.

Tks

s22

From: s22
Sent: Tuesday, 14 February 2017 2:27 PM
To: s22 @environment.gov.au
Cc: s22 @environment.gov.au; s22 @environment.gov.au; Edwards, Bruce <s22 Farrant, Kim <s22 Cahill, Matt <s22
Subject: Question: Strategic Assessment briefing [SEC=UNCLASSIFIED]

Hi s22

Just wanted to touch base to see if this meeting will be going ahead on Thursday at 5.00pm?

Kim will attend if you think there will be an opportunity to talk about Crudine Ridge.

Please contact me if you have any questions.

Kind regards

s22

s22
Executive Officer to Matt Cahill
First Assistant Secretary
Environment Standards Division

Department of the Environment and Energy
02 6274 s22
s22 @environment.gov.au
GPO Box 787 Canberra ACT 2601

From: s22
Sent: Monday, 13 February 2017 9:32 AM
To: Cahill, Matt <s22
Subject: Strategic Assessment briefing [SEC=UNCLASSIFIED]

5pm Thursday

Depending on how things develop this week, it might be good to have people available to speak to Crudine Ridge as well.

s22

s22
Office of the Hon Josh Frydenberg MP
Minister for the Environment and Energy | Federal Member for Kooyong
4 Treasury Place, East Melbourne VIC 3002 | p: 03 9660 s22
Parliament House, Canberra ACT 2600 | p: 02 6277 s22
e: s22 @environment.gov.au | w: www.joshfrydenberg.com.au

s22

From: s22
Sent: Thursday, 16 February 2017 6:22 PM
To: s22 @environment.gov.au>
Cc: Matt Cahill s22 >; s22 @environment.gov.au>; Kim Farrant <s22 >
Subject: Re: Crudine Ridge Decision Brief [SEC=UNCLASSIFIED]

Perfect. Tks

Sent from my iPhone

On 16 Feb 2017, at 18:05, s22 @environment.gov.au> wrote:

G'day s22 ,

Just caught up with Matt and he let me know that after the meeting you said you would like the brief put through with changes discussed concerning blade length and turbine height. We will make the changes and I will clear the brief through PDMS and send you an email copy in the morning.

Cheers, Mike

Mike Smith
Ag Assistant Secretary
Assessments and Fuels Branch
ESD
Department of the Environment and Energy

(02) 6274s22