



# Compliance Report

## Sapphire Wind Farm, NSW

### EPBC 2011/5854

Prepared by: Patric Millar CWP Asset Management  
Date: 18 December 2017

This page left blank

Revision Control					
Revision	Date	Change Description	Author	Review	Approved
A	15/12/2017	Draft	Patric Millar	Andrew Houston	Andrew Houston
1	19/12/2017	For Issue	Patric Millar	Andrew Houston	Andrew Houston

Electronic documents, once printed are uncontrolled and may become outdated.

#### **CONFIDENTIALITY**

This document contains proprietary and confidential information, which is provided on a commercial in confidence basis. It may not be reproduced or provided in any manner to any third party without the consent of CWP Asset Management Pty Ltd.

The recipient by retaining and using this document agrees to the above restrictions and shall protect the document and information contained in it from loss, theft and misuse.

#### **© Copyright CWP Asset Management 2017**

This work and the information contained in it are the copyright of CWP Asset Management Pty Ltd. No part of this document may be reprinted or reproduced without the consent of CWP Asset Management Pty Ltd.

#### **Disclaimer:**

Whilst every effort has been made to ensure the accuracy of this information, the publisher accepts no responsibility for any discrepancies and omissions that may be contained herein.

This document has been approved on behalf of SWF1 Operations Pty Ltd (Sapphire Wind Farm) by:



Project Manager, Sapphire Wind Farm

19 December 2017

## **Document Control**

Records of controlled copy distribution of this document are maintained by the Facility Manager or their delegate. Registered controlled copy recipients will automatically receive updates as and when amendments are made. Amended pages will be issued together and recipients are to ensure superseded versions are replaced and destroyed to prevent inadvertent use.

An electronic version will be maintained on the internal document management system.

## **Distribution list**

<b>Copy #</b>	<b>Issued to</b>	<b>Company &amp; position</b>
1	Hagen Ganahl	Department of Environment and Energy
2	Andrew Houston	Project Manager
3	David Williamson	Facilities Manager
4	Adrian Oakey	Head of Engineering and Contracts
5	Bill Filby	Head of Asset Management and Construction
6	Murray Curtis	Environmental Representative

## Contents

Declaration of accuracy .....	6
Project Description.....	7
Compliance Table.....	8
Appendix 1 Confirmation of Acceptance of CEMP by DEE .....	16
Appendix 2 Confirmation of lodgement of Windermere Biobanking.....	17
Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application .....	18
Appendix 4 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854 .....	19
Appendix 5 Email from NSW OEH Confirming Biobanking Assessments.....	21
Appendix 6 Fenner School ANU Research Proposal .....	22
Appendix 7 Commencement Letter to Department of Environment and Energy.....	27
Appendix 8 75 Turbine Layout Map .....	28

## Declaration of accuracy

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

Signed



Full name (please print): Andrew Houston

Position (please print): Project Manager Sapphire Wind Farm

Organisation (please print including ABN/ACN if applicable): CWP Asset Management 41 143 399179

Date 19/12/2017

## Project Description

The Sapphire Wind Farm is situated 28 km east of Inverell and 18 km west of Glen Innes in the Northern Tablelands of NSW. The wind farm site covers approximately 8,921 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (750 m to 1,100 m above sea level, Australian Height Datum (AHD)), adjacent to the Waterloo Range to the east of the Project. The nearest township is Glen Innes, which is located approximately 18 km to the east along the Gwydir Highway.

The project involves a range of activities that vary over time and which move across the site as the development proceeds. Key stages and stage of development as at the time of reporting are shown in Table 1 Works Progress

Construction Activity	Progress December 2017
Site establishment including access provisions, fencing, installation of environmental controls, installation of site offices, laydown areas, a concrete batch plant and potential rock crushing facilities;	Completed
Construction of site access tracks to enable works to progress across the site;	Completed
Turbine site preparation for 75 3.6 MW V126 Vestas wind turbine sites	Completed
Substation site preparation;	Completed
Formation of concrete footings for turbines and the substation;	Completed
Installation of 33 kV underground cables and communication cables within each of the wind turbine clusters;	Underway
Installation of 33 kV overhead transmission lines and communication cables between the wind turbine clusters and the main collector substation;	Underway
Identification and upgrade of transport routes to facilitate haulage of over-size and over-mass wind turbine and substation components;	Completed
Transportation of turbine and substation components from point of origin to the site storage and laydown areas;	Underway
Transport of turbine components to turbine sites and substation items to the substation site;	Underway
Erection of turbine structures;	Underway
Installation of up to six permanent wind monitoring masts;	Completed
Construction of a 330 kV substation and switchyard with associated structures and buildings;	Completed
Connection to the existing TransGrid 330 kV transmission line with a new 330 kV line turn in of approximately 0.6 km with an associated 60 m wide easement;	Completed
Installation of appropriate wind farm signage both during the construction and operational phases of the proposed development;	Construction signs completed
Substation and wind turbine commissioning trials; and	Not commenced
Site restoration, revegetation of disturbed areas and completion of drainage works.	Underway

## Compliance Table

Number	Condition	Stage	Complies	Date of Compliance	Status / Comment
1	The person taking the action must provide <b>The Minister</b> with a <b>Construction Flora and Fauna Management Plan</b> . The Construction Flora and Fauna Management Plan must:	Pre-construction	in progress	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(a)	meet the requirements of <b>Conditions E21 and E22(f)</b> of the NSW Minister for Planning and Environment's approval of the proposed action; and	Pre-construction	in progress	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(b)	include analysis of the impacts on Regent Honeyeater and Swift Parrot and how these impacts will be managed (including relocation and micro-siting).	Pre-construction	in progress	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1	Commencement of construction may not occur until the Construction Flora and Fauna Management Plan has been approved by the Minister.	Pre-construction	in progress	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
2	<b>Prior to commencement of operation</b> of each stage of the action, the approval holder must provide for the Minister's approval a <b>Biodiversity Offset Package (the Package)</b> to protect and manage White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (BGW), and habitat for the Regent Honeyeater, Swift Parrot and Border Thick-tailed Gecko in perpetuity. The Package must:	Pre-construction	in progress		<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval. (See Appendix 2 for "Windemere" Application)</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval (See Appendix 3 for "Rockview South" Application)</li> <li>• Letter to Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to</li> </ul>

					significant delays by NSW OEH in assessing Biobanking Applications. (See Appendix 4 for copy of letter)
2(a)	Outline the purpose of the Package;	Pre-operation	in progress		
2(b)	Include map/s that clearly depict BGW, Border Thick-tailed Gecko, Regent Honeyeater and Swift Parrot habitat in the offset sites;	Pre-operation	in progress		
2(c)	Describe how the offset sites will be legally secured and managed to ensure the enduring value of the offset; and	Pre-operation	in progress		
2(d) i to iii	<p>Provide for the protection of offset sites containing at least:</p> <ul style="list-style-type: none"> <li>i. 260 hectares of BGW at Offset Site A (Annexure A) within one year of the commencement of construction;</li> <li>ii. 165 hectares of habitat for the Border Thick-tailed Gecko at Offset Site B (Annexure A), or alternate offset sites for the Border Thick-tailed Gecko agreed in writing by The Minister, within five years of the commencement of operation; and</li> <li>iii. 725 hectares of habitat for the Regent Honeyeater and Swift Parrot at Offset Sites A and B (Annexure A), or alternate offset sites for the Regent Honeyeater and Swift Parrot agreed in writing by The Minister, within five years of the commencement of operation.</li> </ul>	Construction	in progress		<ul style="list-style-type: none"> <li>• Eco Logical Australia were engaged to deliver biodiversity conditions. Two properties will provide for both NSW and Commonwealth offset requirements - "Windemere" and "Rockview South".</li> <li>• "Windemere" was purchased by CWPAM.</li> <li>• CWPAM have entered into a contract with the owner of "Rockview South" to provide offset.</li> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> </ul>
2	Where an area of habitat is deemed suitable to meet the offset requirements of more than one species or	Construction	in progress		as above

	community, the area of habitat may count towards the offset requirements for each species or community.				
2A	The approval holder must legally secure Offset Sites A and B (or alternate offset sites agreed in writing by the Minister) in accordance with the approved Package. Evidence of the legal securing of the offset must be provided to the Department within one month of the offset sites being secured including associated GPS coordinates and shapefiles.	Construction	in progress		as above
3	The approval holder must provide for The Minister's approval an <b>Offset Management Plan</b> for offset sites specified in the approved Package. The Offset Management Plans (the Plans) must be consistent with the Package, and can only be submitted to The Minister for approval after the Package has been approved by The Minister. A Plan must include:	Construction	in progress		<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> <li>• Letter to Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to significant delays by NSW OEH in assessing Biobanking Applications</li> </ul>
3 (a) to (i)	a) a qualitative and quantitative analysis of the ecological values of the offset sites in relation to the matter/s being offset; b) measures to prevent and control pest animal, weed or pathogen incursions, including through edge effects, and feasible measures to eradicate invasive weed species; c) measures to prevent unauthorised public access; d) measures to maintain or enhance the values of the offset sites through ecologically sensitive fire regimes;	Construction			

	<p>e) measures to enhance the offset values of Offset Site A (Annexure A);</p> <p>f) measures to maintain or enhance the offset values of Offset Site B (Annexure A);</p> <p>g) a monitoring and reporting regime for tracking offset conditions and the effectiveness of management measures;</p> <p>h) an adaptive implementation programme for the Plan; and</p> <p>i) timeframes for Plan implementation.</p>			
3	<b>Operation of the action may not commence until Offset Management Plans have been approved in writing by The Minister. The Plans, once approved, must be implemented.</b>	Pre-operation		Noted, currently awaiting assessment by NSW OEH of Biobanking Applications for "Windemere" and "Rockview South" (See Appendix 5 for status of Biobanking Assessments)
3	<i>Note: For convenience, Offset Management Plans for multiple offset sites may be combined.</i>	Pre-operation		
3A	If, in accordance with the Package, an offset site is to be legally secured under the NSW Biodiversity Banking and Offsets Scheme, the management plan developed under the NSW Biodiversity Banking Agreement for that offset site is an Offset Management Plan for the purposes of Condition 3.	Pre-operation	In progress	<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval</li> <li>• Letter of Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to significant delays by NSW OEH in assessing Biobanking Applications</li> </ul>
4	To compensate for impacts on habitat for the Regent Honeyeater and Swift Parrot, the approval holder must contribute no less than \$250,000 (GST exclusive) in funding towards research by an appropriate	Construction	in progress	<ul style="list-style-type: none"> <li>• The Australian National University (ANU) has been engaged to undertake this action</li> </ul>

	<p>institution, to assist in building the body of knowledge regarding how these species interact with, and are impacted by, wind farms.</p> <p>This sum may be donated in five increments of at least \$50,000 to be paid annually, commencing on operation of the action and thereafter on each anniversary of this date until up until the fourth anniversary, with evidence of payment provided to The Department within 30 days of each payment being made. An alternative payment structure may be implemented, following agreement by The Department that the alternate payment structure will realise a benefit to the body of knowledge of the research project/s to be funded.</p> <p>The expected outcomes and milestones of this research project/s must:</p>				<ul style="list-style-type: none"> <li>• They will be working collaboratively with Brett Lane &amp; Associates (BL&amp;A) who prepared the Bird and Bat Adaptive Management Plan (BMAMP).</li> <li>• Final proposal submitted to CWPAM 15 December 2017 (See Appendix 6 for copy of ANU Research Proposal)</li> </ul>
4 (a)	be consistent with the relevant Recovery Plans for the species;	Construction			as above
4 (b)	take into account any results from the Bird and Bat Adaptive Monitoring Program referred to in Condition C6 of the NSW Minister for Planning and Environment's approval of the proposed action dated 26 June 2013; and	Construction			as above
4 (c)	be made available to the Department, relevant state government agencies and to the public within 20 business days of their approval and published on the approval holder's website throughout the duration of the research project/s and action.	Construction			as above
4	Operation of the action must not commence until the payment structure, expected outcomes and milestones of the research project/s have been approved in writing by the Minister.	Construction			as above

5	If at any time the NSW Director Generals Assessment Report and approval conditions (June 2013) are modified, the approval holder must notify the Department in writing of the actual date of the modification.	All	Yes	6/07/2016	CWP Renewables notified Commonwealth Minister of the proposed changes to the wind farm and that the NSW DPE has modified the Approval Conditions on 20/06/2016 (See Appendix 7 for copy of correspondence)
6	<b>Within 10 days after the commencement of the action</b> , the approval holder must advise the Department in writing of the actual date of commencement.	Pre-construction		9/12/2016	Within 10 days after the commencement of the action (See Appendix 8 for copy of correspondence)
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Site Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Departments website. The results of audits may also be publicised through the general media.	Construction Operation	in progress		Ongoing
8	By 31 December of <b>each year after the commencement of the action</b> , the approval holder must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of the Management Documents. These compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within	Construction Operation	in progress		Annual requirement by 31 December

	five business days of the approval holder becoming aware of the actual or potential non-compliance.				
9	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	All			As required by the Minister
10	If the approval holder wishes to carry out any activity otherwise than in accordance with the Management Documents as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that Management Document. The varied activity shall not commence until the Minister has approved the varied Management Document in writing. The Minister will not approve a varied Management Document unless the revised Management Document would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised Management Document, that Management Document must be implemented in place of the Management Document originally approved.	All			As required
11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species, listed ecological communities or listed migratory species to do so, the Minister may request that the approval holder make specified revisions to the Management Document specified in the conditions and submit the revised Management	All			As required by the Minister

	Document for the Minister's written approval. The approval holder must comply with any such request. The revised approved Management Document must be implemented. Unless the Minister has approved the revised Management Document, then the approval holder must continue to implement the Management Document originally approved, as specified in the conditions.				
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Pre-construction	Yes	9/12/2016	Construction commenced 9 December 2016 (See Appendix 7 for copy of Letter to DEE notifying commencement)
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the Offset Plan(s) referred to in these conditions of approval on their website. The Offset Plan(s) must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Construction Operation			Noted
14	Unless otherwise agreed to in writing by The Minister, the approval holder must not construct or operate more than 109 wind turbines. Any request to construct or operate more than 109 (and up to 159) turbines must include an analysis of impacts relevant to protected matters, and measures to avoid, mitigate and offset those additional impacts.	Construction Operation			75 WTG's will be constructed (See Appendix 8 for map)

## Appendix 1 Confirmation of Acceptance of CEMP by DEE



Mr Ed Mounsey  
Chief Operating Officer  
CWP Renewables  
PO Box 1708  
Newcastle NSW 2300

### EPBC 2011/5854: Sapphire Wind Farm, NSW, Construction Flora and Fauna Management Plan.

Dear Mr Mounsey

Thank you for your email dated 28 September 2016 to the Department, requesting approval of the Construction Flora and Fauna Management Plan (CFFMP) in accordance with condition 1 of the approval for EPBC 2011/5854.

Officers of this Department have reviewed and advised me on the CFFMP and the requirements of approval condition 1. On this basis, and as a delegate of the Minister for the Environment and Energy, I have decided to approve the CFFMP. The plan must now be implemented.

In accordance with EPBC approval condition 10, if the approval holder wants to act other than in accordance with this approved plan, the approval holder must submit a revised plan for approval. Until the Minister (or delegate) has approved the revised plan, the approved version of the plan must continue to be implemented.

If you require further information regarding the above please contact Nathan O'Brien on (02) 6275 9682 or by email: [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

Yours sincerely

A handwritten signature in black ink that appears to read "Monica".

Monica Collins  
Assistant Secretary  
Compliance & Enforcement Branch  
Environment Standards Division

*18 Nov.* 2016

## Appendix 2 Confirmation of lodgement of Windermere Biobanking

 Reply  Reply All  Forward

Wed 24/05/2017 1:02 PM



Robert Humphries <roberth@ecoaus.com.au>

Submission of Windemere Biobank Site application

To Phil Wood

Cc Patric Millar; Greg Steenbeeke; Deanne Hickey

 You replied to this message on 24/05/2017 2:06 PM.

---

Thanks Phil

Patric, I confirm that we have now submitted the application to register Windemere as a Biobank site.

We hope to submit Rockview South later this week subject to receiving the signed application form from John Hunter.

Phil, you should shortly see all the associated files/reports including high resolution figures, Certificate of titles, Deposit Plan showing easements and GIS files.

If anything is missing please advise.

Please note that the accredited assessor for this site was Greg Steenbeeke whilst we was with ELA (now back at OEH Metro Region).

The application has been submitted in Greg's name as he did all the field work, the credit calculations and prepared the reports.

Should following the audit, we need to make any amendments, we assume that the assessment will be re-allocated back to ELA and we will assign a new assessor, however, we hope to be able to have Greg attend the site audit if one is required (Dimitri Young in North-East Branch has already been on-site with Greg).

Regards

**Robert Humphries**

Manager BioBanking and Biocertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

## Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application

 Reply  Reply All  Forward

Fri 2/06/2017 2:58 PM



Robert Humphries <roberth@ecoaus.com.au>

Submission of Rockview Sth Biobank Application

To [Patric Millar](#); [jhunter8](#)

Cc Ed Mounsey; Mark Branson

 You replied to this message on 5/06/2017 1:07 PM.

Action Items

 Get more add-ins

Patric/John, confirming that Rockview Sth was submitted to OEH today (as well as Windermere about a fortnight ago).

Now in the hands of OEH and when they get around to doing the review/site audit.

I expect this will be several months away, but if asked by DPE/DotEE re progress with securing offsets etc, at least you can advise that applications have been submitted.

Regards

### **Robert Humphries**

Manager BioBanking and Biocertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

### **Eco Logical Australia Pty Ltd**

Mailing Address: PO Box 12 Sutherland NSW 1499  
Street Address: Suite 2, Level 3, 668 Old Princes Highway, Sutherland NSW 2232  
T +61 2 8536 8620 | F +61 2 9542 5622 | M +61 417 258 264  
[roberth@ecoaus.com.au](mailto:roberth@ecoaus.com.au)  
<http://www.ecoaus.com.au>

Eco Logical Australia is a Registered Training Organisation offering a range of nationally accredited courses in environmental impact assessment. We can also tailor training courses for specific industry needs.

*Please consider the environment before printing this e-mail.*

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. ELA does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects and accepts no liability for any damage caused by this email or its attachments due to viruses interception corruption or unauthorised access. Please note that our servers may not be located in your country.

## Appendix 4 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854



*Sapphire Wind Farm Project*

19 December 2017

Ref: AH/DEE001

Department of Environment and Energy

Attention: Hagen Ganahl

GPO Box 787

Canberra

ACT 2601

### **Request for Extension Time Sapphire Wind Farm NSW EPBC 2011/5854**

Dear Hagen Ganahl (*Secretary's Delegate*)

Approval EPBC No. 2011/5854 as modified was granted 21 June 2016 to SWF Operations Pty Ltd for the construction and operation of a 109 turbine windfarm between Glen Innes and Inverell. Notification of commencement of the activity was given to the Department of Environment and Energy on 19 December 2016 with the commencement date being specified as 9 December 2016.

A request is hereby made to the Assistant Secretary Compliance and Enforcement Branch for an extension of four months for compliance with Conditions of Approval 2, 3 and 4 of EPBC No. 2011/5854. The reason for the request for the extension of time is to allow the NSW Office of Environment and Heritage (OEH) to fully assess the BioBanking Applications for the properties that SWF have secured for BioBanking purposes and to allow SWF to complete negotiations with Fenner School at the Australian National University (ANU) to deliver research outcomes.

SWF is fully committed to the securing and offsetting areas of suitable native vegetation to ameliorate the impacts of clearing on site. To that end SWF purchased "Windemere" a 300.36 ha former grazing property to satisfy the requirements of Condition of Approval 2 (d) (i) and entered into a binding contract with the owners of "Rockview South" to satisfy the requirements of Condition of Approval 2 (d) (ii) and (iii).

The properties were assessed using the BioBanking Assessment Methodology 2014 (BBAM 2014) NSW Office of Environment and Heritage [OEH] 2014b. The BioBanking Application for "Windemere" was submitted to OEH on 24 May 2017 and "Rockview South" was submitted to OEH on 2 June 2017. The full package of documents submitted to OEH is provided as Enclosure 1 (Windemere Biobanking Assessment Report, Windemere Biobank Application, Windemere Management Actions (OEH Standard Template), Windemere Credit Report, Rockview South Biobanking Assessment Report, Rockview South Biobank Application, Rockview South Management Actions (OEH Standard Template), Rockview South Credit Report). At the time of submission to OEH BioBanking Assessments generally took three to four months to complete.

Due to proposed changes in the NSW biodiversity management legalisation framework OEH received an unprecedented number of BioBanking Applications during May and June. The large amount of BioBanking

applications received by OEH combined with the lack of trained staff within OEH to undertake assessment, audits and review of BioBanking Applications has led to significant delays in OEH's ability to deliver BioBanking Agreements. This has severely reduced SWF's ability to meet the required time frames as outlined in the Conditions of Approval.

OEH have indicated that they may be able to undertake field audits in mid-December with the view to registering the BioBanking Agreement in mid-February 2018. A full email trail with OEH, SWF and Ecological Australia regarding the status of both applications is contained in the enclosures.

Brett Lane and Associates (BLA) were engaged by SWF to prepare and manage the Bird and Bat Adaptive Management Plan (BBAMP) for the site once operations commence. The BBAMP was approved by OEH in August 2017. A copy of the approved BBAMP is contained in the enclosures.

Running concurrently with the preparation of the BBAMP SWF have been negotiating with the Fenner School ANU and BLA for the delivery of the research component outlined in Condition of Approval 4. These negotiations have experienced delays due the unavailability of key staff for face to face meetings in Canberra, however an active email trail has been established. The most recent a draft research proposal being circulated by email on 31 November 2017. Representatives of SWF, BBLA and Fenner School are meeting in Canberra on 11 December to finalise the research program for submission to the Board of SWF for their endorsement and approval.

The four-month extension of time requested by SWF will allow us to comply with the Conditions of Approval for EPBC No. 2011/5854. The request takes into account time that will be lost due to Office closures over the Christmas and New Year period and is based on the best information available from OEH, BLA and Fenner School at ANU.

Kind regards,



**Andrew Houston**  
**Project Manager**  
**Sapphire Wind Farm On behalf of the Employers Representative**

**Enclosures:**

Windemere Biobanking Assessment Report,  
Windemere Biobank Application,  
Windemere Management Actions (OEH Standard Template),  
Windemere Credit Report,  
Rockview South Biobanking Assessment Report,  
Rockview South Biobank Application,  
Rockview South Management Actions (OEH Standard Template),  
Rockview South Credit Report  
Email trail John Seidel NSW Office of Environment and Heritage regarding Biobanking assessment time lines  
Bird and Bat Adaptive Management Plan Sapphire Wind Farm

## Appendix 5 Email from NSW OEH Confirming Biobanking Assessments

 Thu 14/12/2017 12:25 PM



Krister Waern <[krister.waern@environment.nsw.gov.au](mailto:krister.waern@environment.nsw.gov.au)>

RE: Windemere - Sapphire Wind Farm - BA 379 (North east) update

To Patric Millar

 You forwarded this message on 15/12/2017 8:00 AM.

Hi Patric,

As discussed, I won't be able to do the site inspections until the second or third week of January. I apologies for the delay.

I will be able to inspect both Rockview and Windemere in January.

I will contact you early in the new year to organise date/times

Happy to discuss  
Krister

---

**From:** Patric Millar [<mailto:Patric.Millar@cwpam.com.au>]  
**Sent:** Wednesday, 13 December 2017 7:57 AM  
**To:** Krister Waern <[krister.waern@environment.nsw.gov.au](mailto:krister.waern@environment.nsw.gov.au)>  
**Subject:** Windemere - Sapphire Wind Farm - BA 379 (North east) update

Hi Krister

I've been trading emails with John Seidel and Nicky Owner about our Biobanking Agreement for the property known as Windemere for the Sapphire Wind Farm. In an email yesterday Nicky Owner indicated that she was no longer involved in the Biobanking Project and that you would be taking on her workload. In previous correspondence with John Seidel he indicated that the field audit would be undertaken prior to the Christmas break. Can you please let me know if this is still the case?

Kindest regards  
Patric

Patric Millar  
Environmental Technical Advisor  
Sapphire Wind Farm Project

**CWP Asset Management Pty Ltd**  
Ground Floor, Block E, 34 Thyne Street, Bruce, ACT 2617, Australia  
M: +61 (0)406 640 593 T: +61 (0)2 6100 2122  
W: [www.cwpam.com.au](http://www.cwpam.com.au) | [www.sapphewirewindfarm.com.au](http://www.sapphewirewindfarm.com.au)

## Appendix 6 Fenner School ANU Research Proposal

### Sapphire Wind Farm Swift Parrot and Regent Honeyeater Project

#### ANU Fenner School of Environment and Society

##### Background – ANU involvement in Swift Parrot and Regent Honeyeater Research

The Fenner School of Environment and Society has been working on research and contributing to the development of national actions plans for both the Swift Parrot and Regent Honeyeater over the last 13 years.

Specific activities have included:

- Habitat modelling
- Field surveys
- Addressing landscape conservation issues
- Community engagement
- Development of specific management actions and plans

The ANU Fenner School team contributing to this effort include the key personnel below.

Prof Rob Heinsohn is the Swift Parrot and Regent Honeyeater research team leader. He has over 25 years' experience conducting field based research on endangered bird species. He currently leads a team of three post-doctoral researchers, a research officer and a PhD student (see below) with projects aimed at addressing landscape scale conservation issues affecting both species. Funding for these projects comes from two ARC grants, two mining offset grants, an SOS (NSW Govt) grant, and multiple small grants.

Dr Debbie Saunders is a post-doctoral researcher with 15 years' experience managing, developing and implementing threatened species recovery plan projects, with particular expertise on the critically endangered Swift Parrot. This includes building strong partnerships; securing threatened species program funding; providing expert threatened species' advice; delivering community engagement programs; populating and managing databases; and conducting threatened species research incorporating novel technologies.

Mr. Ross Crates is a PhD student investigating improved methods for detection of Regent Honeyeaters and the ecology of their breeding and large scale movements. He has recently led development on a breakthrough survey technique for detecting elusive Regent Honeyeaters across SE Australia. He located over 30 Regent Honeyeater nesting attempts in 2015, and recently found a number of birds in non-breeding habitat in early 2016.

#### Proposed Project approach

To ensure the project is implemented in a timely and professional manner, and explicitly addresses the Minister's approval requirements, we propose that the project be

implemented and managed by Dr Saunders and Mr Crates. Prof. Heinsohn and other team members would provide significant in-kind contributions in relation to additional technical expertise on both the target species, in-depth statistical analysis and preparation of regular project reports and scientific publications.

### Swift Parrot research

The specific elements of Swift Parrots research, with the leadership of Dr Saunders, will focus on:

- Identification of winter habitat use across the landscape by examining eight years of data on Swift Parrot habitat use throughout the species' winter range, including the Glen Innes region. This information would be analysed and evaluated by experts in the context of the Sapphire Wind Farm (provided by CWP Asset management), habitat/vegetation mapping (where available) and bioclimatic modelling for the species' winter range.
- Identify behavioural characteristics of swift parrots and corresponding risk factors in relation to potential collision hazards from windfarm structures and sites. Relevant data on bird strikes of co-occurring species from the Bird and Bat Adaptive Monitoring Program would also be considered when evaluating potential strike risk behaviours.
- This project would directly contribute to implementing each of the following recovery actions from the *Swift Parrot National Recovery Plan* as summarised below.
  - ✓ Action 1 - Identify the extent and quality of habitat – evaluation of swift parrot winter habitat in relation to the Sapphire Wind Farm
  - ✓ Action 2 - Manage and protect Swift Parrot habitat at the landscape scale – provide land managers with unique insights on the potential collision risks posed by windfarm structures and sites throughout the species' winter range
  - ✓ Action 3 - Monitor and manage the impact of collisions – identification of areas where collision risk from windfarms may be greatest to enable strategic planning and targeted monitoring

### Regent Honeyeater research

Due to low levels of previous field survey effort, current ecological knowledge of the Regent Honeyeater in the northern tablelands is poor. Therefore, the Regent Honeyeater research, implemented by Mr Crates, will focus on:

- Expert analysis of the suitability of habitat for Regent Honeyeaters in proximity to the Sapphire Wind Farm. This will be achieved using a combination of bioclimatic habitat modelling, vegetation mapping (where available) and an initial detailed field assessment of suitable habitat at the Sapphire Windfarm site and surrounding Glen Innes region.
- Based on the results of this initial habitat assessment, surveys for both Swift Parrots and Regent Honeyeaters will be planned according to the habitat present and its suitability for wintering and/or breeding.

- Identify behavioural characteristics of regent honeyeaters and corresponding risk factors in relation to potential collision hazards from windfarm structures and sites. Relevant data on bird strikes of co-occurring species from the Bird and Bat Adaptive Monitoring Program would also be considered when evaluating potential strike risk behaviours.
- This project would directly contribute to implementing the following recovery strategies identified in the *Regent Honeyeater National Recovery Plan*:
  - ✓ Strategy 1: Improve the extent and quality of regent honeyeater habitat – identification of potentially suitable sites and surveys conducted over three years within the poorly surveyed region around the Sapphire Wind Farm.
  - ✓ Strategy 3: Increase understanding of the size, structure and population trends of the wild population of Regent Honeyeaters – targeted surveys provide complementary population data for informing and adapting range-wide monitoring programs.

## Project dates

**Commencement date:** July 2018

**Completion date:** July 2021

## Project milestones and deliverables

The following milestones for this project will provide unique insights on the target species' behaviours and habitats, within the vicinity of the Sapphire Windfarm site, as well as more broadly. This will fill a significant knowledge gap in relation to how these species may interact with, or be impacted by, wind farms. The project will also provide a sound basis upon which future strategic windfarm management decisions can be made to improve the conservation of these species in regions impacted by wind farms. The project is proposed to be implemented over three years instead of five to ensure adequate resources are available to conduct the required field surveys and complex scientific analyses each year. All milestones will be reported on within project update and annual reports, as detailed in the deliverables table below.

	<b>Milestone</b>	<b>Delivery date</b>
1	Initial field habitat assessment and survey site identification of the Sapphire Wind Farm and surrounds	Year 1
2	Surveys designed for target species based on above habitat assessment	Year 1
3	Compilation of available habitat mapping and modelling data for target species (winter habitat for swift parrots and winter/breeding habitat for regent honeyeaters)	Years 1-2
4	Surveys for target species implemented within the Glen Innes region	Years 1-3
5	Behavioural characteristics of target species identified and risk evaluation undertaken	Year 2
6	Analysis and evaluation of all project data in regards to the potential risk of windfarms to the target species	Year 3

Deliverables	Delivery format	Delivered to	Reporting frequency	Responsibility
Project update reports (1 page)	PDF via email	CWP Asset Management	Every 6 months, Years 1-3	ANU
Annual project reports, including financial reports	PDF via email	CWP Asset Management	Annually, Years 1-3	ANU
Annual project reports	PDF via email	Government agencies (NSW & C'wealth)	Annually, Years 1-3	CWP Asset Management
Annual project reports	Available on CWP web page	Public	Annually, Years 1-3	CWP Asset Management
Scientific publications in peer reviewed journals	PDF via email, Journal web page	CWP Asset Management, public	Year 3	ANU

### Project budget

Description	Yr 1	Yr 2	Yr 3	TOTAL
	2018-19	2019-20	2020-21	
<b>INCOME</b>				
Offset funding	83,000	83,000	84,000	250,000
<b>Total Income</b>	<b>83,000</b>	<b>83,000</b>	<b>84,000</b>	<b>250,000</b>
<b>EXPENSES</b>				
<b>Personnel (including on-costs)</b>	69,729	71,821	73,976	215,526
<b>Travel field expenses</b>	11,491	11,491	11,491	34,474
<b>Other project expenses</b>	2,741	2,741	2,741	8,224
<b>Total Expenses</b>	<b>81,220</b>	<b>83,312</b>	<b>85,467</b>	<b>250,000</b>

### Payment schedule

Payment type	Payment amount	Payment schedule
Initial project payment	\$83,000	Signing of project agreement July 2018
Progress payment	\$83,000	Upon provision of annual project report July 2019
Final payment	\$83,000	Upon provision of annual project report July 2020
<b>Total</b>	<b>\$250,000</b>	

### Project governance

A small working group would be established to oversee the delivery of the outputs to meet the requirement of the EPBC provisions. This would include:

- Fenner School, ANU
- Department of Environment, EPBC Unit
- CWP Asset Management
- Nominated expert for BBAMP implementation (as advised to DG).

This working group would meet on an annual basis, either in person or via phone, prior to delivery of each annual project report. The role of the working group would include:

- Agree on scope of project and detailed activities for each year
- Review and provide comments on annual project reports
- Ensure lessons learnt from the implementation of the BBAMP of the Sapphire Wind Farm are incorporated into risk assessment evaluations.

### **Project management**

Our ANU team has a wealth of experience successfully processing and delivering on environmental offset contracts and has well-established administrative processes for project management.

This project would utilise ANU's Research Office which manages and facilitates professional contract services, project reporting against milestones at agreed intervals (e.g. every 6-12 months) and delivery of project outcomes on time and to budget. The Research Office also has a dedicated Finance Team who provide professional and auditable financial services, including monthly account reports to actively keep track of expenditure and ensure all financial processing is done in an efficient and timely manner.

## Appendix 7 Commencement Letter to Department of Environment and Energy



*Delivering Energy. Powering Communities.*

19 December 2017

Mr Hagen Ganahl  
Assistant Director  
Post Approvals Section  
Commonwealth Department of the Environment and Energy  
*By email.*

Dear Hagen,

### **Sapphire Wind Farm (2011/5854) – Condition of Approval 6**

In accordance with Condition 6 of the Project Approval (2011/5854) for Sapphire Wind Farm (the Project), I am writing to advise you that the Project commenced construction on December 9, 2016. The project is not currently planned to be constructed in stages.

If you require further information, please contact me using the details below.

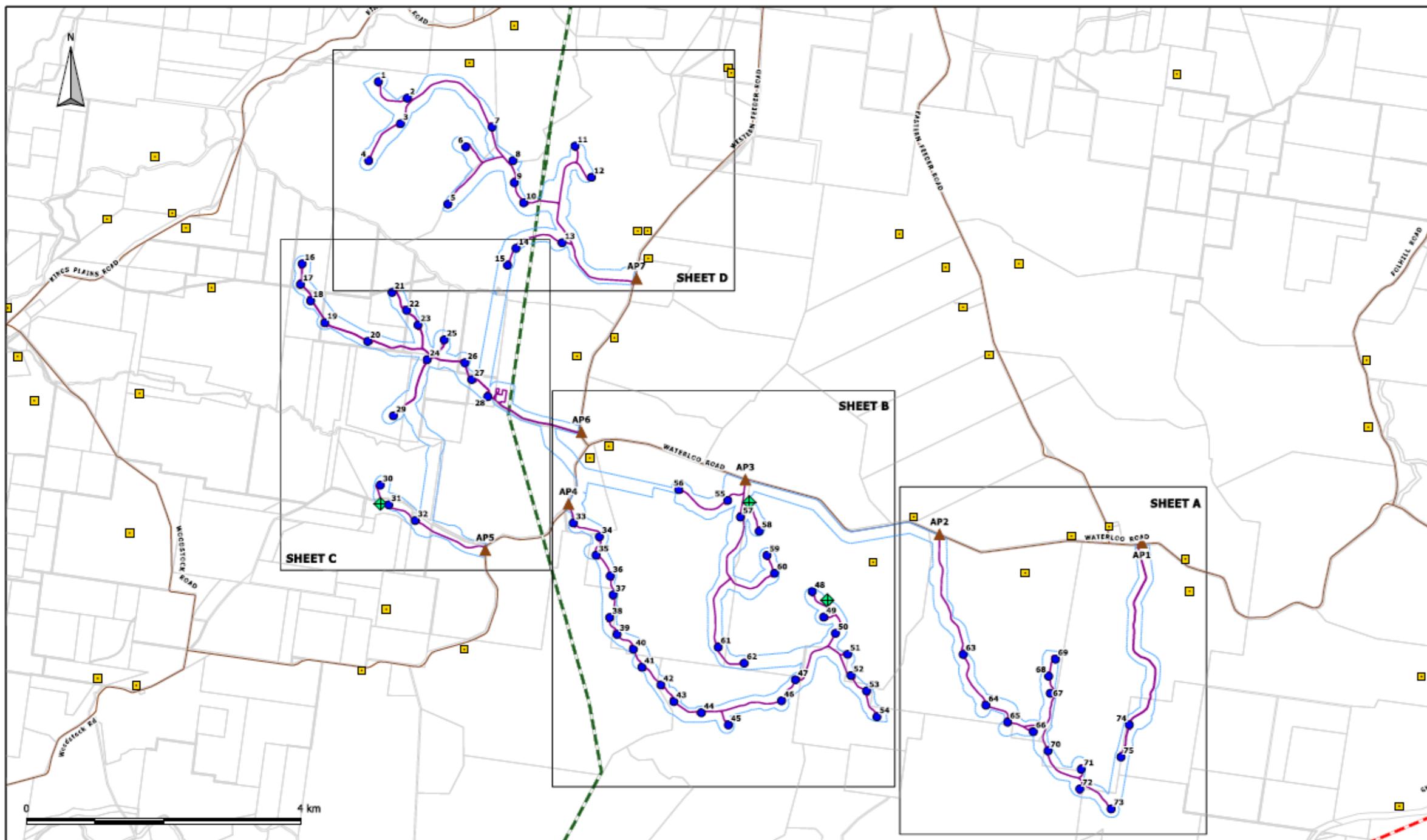
Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Edward Mounsey'.

*Edward Mounsey*  
CWP Renewables Pty Ltd  
[ed.mounsey@cwprenewables.com.au](mailto:ed.mounsey@cwprenewables.com.au)  
Mob: 0428 998 311

*Cc. Nathan O'Brien, Post Approvals Section.*

## Appendix 8 75 Turbine Layout Map



LEGEND		COMPANY									
● Turbine (75)	▲ Project Access Points	SAPPHIRE WIND FARM PTY LTD									
— Permanent Works	— 132kV Transmission Line										
■ Residence	— 330kV Transmission Line	TITLE									
◆ AEMO/Power Mast	■ Site Area	SCHEDULE G: SITE MAP OVERVIEW									
		DATE	21 SEP 2016	SCALE	1:54000	DWG NO	SAP-109	REV	A	VER	1
		DRAWN BY	B KRONENBERG	CHECKED BY	A OKEY	SHEET	1 OF 6	JOB NO	080602	SIZE	A3



# Compliance Report

## Sapphire Wind Farm, NSW

### EPBC 2011/5854

Prepared by: Patric Millar CWP Asset Management  
Date: 19 December 2018

This page left blank

Revision Control					
Revision	Date	Change Description	Author	Review	Approved
A	15/12/2017	Draft	Patric Millar	Tony Igo	Tony Igo
1	19/12/2017	For Issue	Patric Millar	Tony Igo	Tony Igo

Electronic documents, once printed are uncontrolled and may become outdated.

#### **CONFIDENTIALITY**

This document contains proprietary and confidential information, which is provided on a commercial in confidence basis. It may not be reproduced or provided in any manner to any third party without the consent of CWP Asset Management Pty Ltd.

The recipient by retaining and using this document agrees to the above restrictions and shall protect the document and information contained in it from loss, theft and misuse.

#### **© Copyright CWP Asset Management 2017**

This work and the information contained in it are the copyright of CWP Asset Management Pty Ltd. No part of this document may be reprinted or reproduced without the consent of CWP Asset Management Pty Ltd.

#### **Disclaimer:**

Whilst every effort has been made to ensure the accuracy of this information, the publisher accepts no responsibility for any discrepancies and omissions that may be contained herein.

This document has been approved on behalf of SWF1 Operations Pty Ltd (Sapphire Wind Farm) by:



Tony Igo

Project Manager, Sapphire Wind Farm

19 December 2018

## **Document Control**

Records of controlled copy distribution of this document are maintained by the Facility Manager or their delegate. Registered controlled copy recipients will automatically receive updates as and when amendments are made. Amended pages will be issued together and recipients are to ensure superseded versions are replaced and destroyed to prevent inadvertent use.

An electronic version will be maintained on the internal document management system.

## **Distribution list**

<b>Copy #</b>	<b>Issued to</b>	<b>Company &amp; position</b>
1	Hagen Ganahl	Department of Environment and Energy
2	Tony Igo	Project Manager
3	David Williamson	Facilities Manager
4	Adrian Oakey	Head of Engineering and Contracts
5	Brendan McAvoy	Head of Asset Management and Construction
6	Murray Curtis	Environmental Representative

## Contents

Declaration of accuracy .....	6
Project Description.....	7
Compliance Table.....	9
Appendix 1 Confirmation of Acceptance of CEMP by DEE .....	18
Appendix 2 Confirmation of lodgement of Windermere Biobanking.....	19
Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application .....	21
Appendix 4 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854 .....	23
Appendix 5 Fenner School ANU Research Proposal .....	25
Appendix 6 Fenner School Contract Execution.....	30
Appendix 7 Commencement Letter to Department of Environment and Energy.....	31
Appendix 8 Map of 75 Turbine Layout .....	32

## Declaration of accuracy

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

Signed



Full name (please print): Tony Igo

Position (please print): Project Manager Sapphire Wind Farm

Organisation (please print including ABN/ACN if applicable): CWP Asset Management 41 143 399179

Date 19/12/2018

## Project Description

The Sapphire Wind Farm is situated 28 km east of Inverell and 18 km west of Glen Innes in the Northern Tablelands of NSW. The wind farm site covers approximately 8,921 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (750 m to 1,100 m above sea level, Australian Height Datum (AHD)), adjacent to the Waterloo Range to the east of the Project. The nearest township is Glen Innes, which is located approximately 18 km to the east along the Gwydir Highway.

The project involves a range of activities that vary over time and which move across the site as the development proceeds. Key stages and stage of development as at the time of reporting are shown in Table 1 Works Progress

Construction Activity	Progress December 2018
Site establishment including access provisions, fencing, installation of environmental controls, installation of site offices, laydown areas, a concrete batch plant and potential rock crushing facilities;	Completed
Construction of site access tracks to enable works to progress across the site;	Completed
Turbine site preparation for 75 3.6 MW V126 Vestas wind turbine sites	Completed
Substation site preparation;	Completed
Formation of concrete footings for turbines and the substation;	Completed
Installation of 33 kV underground cables and communication cables within each of the wind turbine clusters;	Completed
Installation of 33 kV overhead transmission lines and communication cables between the wind turbine clusters and the main collector substation;	Completed
identification and upgrade of transport routes to facilitate haulage of over-size and over-mass wind turbine and substation components;	Completed
Transportation of turbine and substation components from point of origin to the site storage and laydown areas;	Completed
Transport of turbine components to turbine sites and substation items to the substation site;	Completed
Erection of turbine structures;	Completed
Installation of up to six permanent wind monitoring masts;	Completed
Construction of a 330 kV substation and switchyard with associated structures and buildings;	Completed
Connection to the existing TransGrid 330 kV transmission line with a new 330 kV line turn in of approximately 0.6 km with an associated 60 m wide easement;	Completed
Installation of appropriate wind farm signage both during the construction and operational phases of the proposed development;	Completed
Substation and wind turbine commissioning trials; and	Completed
Site restoration, revegetation of disturbed areas and completion of	Completed

drainage works.

## Compliance Table

Number	Condition	Stage	Complies	Date of Compliance	Status / Comment
1	The person taking the action must provide <b>The Minister</b> with a <b>Construction Flora and Fauna Management Plan</b> . The Construction Flora and Fauna Management Plan must:	Pre-construction	Complies	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(a)	meet the requirements of <b>Conditions E21 and E22(f)</b> of the NSW Minister for Planning and Environment's approval of the proposed action; and	Pre-construction	Complies	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(b)	include analysis of the impacts on Regent Honeyeater and Swift Parrot and how these impacts will be managed (including relocation and micro-siting).	Pre-construction	Complies	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1	Commencement of construction may not occur until the Construction Flora and Fauna Management Plan has been approved by the Minister.	Pre-construction	Complies	9/11/2016	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
2	<b>Prior to commencement of operation</b> of each stage of the action, the approval holder must provide for the Minister's approval a <b>Biodiversity Offset Package (the Package)</b> to protect and manage White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (BGW), and habitat for the Regent Honeyeater, Swift Parrot and Border Thick-tailed Gecko in perpetuity. The Package must:	Pre-construction	Complies		<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval. (See Appendix 2 for "Windemere" Application)</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval (See Appendix 3 for "Rockview South" Application)</li> <li>• Letter to Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to</li> </ul>

					significant delays by NSW OEH in assessing Biobanking Applications. (See Appendix 4 for copy of letter)
2(a)	Outline the purpose of the Package;	Pre-operation	Complies		
2(b)	Include map/s that clearly depict BGW, Border Thick-tailed Gecko, Regent Honeyeater and Swift Parrot habitat in the offset sites;	Pre-operation	Complies		
2(c)	Describe how the offset sites will be legally secured and managed to ensure the enduring value of the offset; and	Pre-operation	Complies		
2(d) i to iii	<p>Provide for the protection of offset sites containing at least:</p> <ul style="list-style-type: none"> <li>i. 260 hectares of BGW at Offset Site A (Annexure A) within one year of the commencement of construction;</li> <li>ii. 165 hectares of habitat for the Border Thick-tailed Gecko at Offset Site B (Annexure A), or alternate offset sites for the Border Thick-tailed Gecko agreed in writing by The Minister, within five years of the commencement of operation; and</li> <li>iii. 725 hectares of habitat for the Regent Honeyeater and Swift Parrot at Offset Sites A and B (Annexure A), or alternate offset sites for the Regent Honeyeater and Swift Parrot agreed in writing by The Minister, within five years of the commencement of operation.</li> </ul>	Construction	in progress		<ul style="list-style-type: none"> <li>• Eco Logical Australia were engaged to deliver biodiversity conditions. Two properties will provide for both NSW and Commonwealth offset requirements - "Windemere" and "Rockview South".</li> <li>• "Windemere" was purchased by CWPAM.</li> <li>• CWPAM have entered into a contract with the owner of "Rockview South" to provide offset.</li> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> <li>• Signed Biobanking Package</li> </ul>

					submitted to OEH 5/12/2018
2	Where an area of habitat is deemed suitable to meet the offset requirements of more than one species or community, the area of habitat may count towards the offset requirements for each species or community.	Construction	in progress		as above
2A	The approval holder must legally secure Offset Sites A and B (or alternate offset sites agreed in writing by the Minister) in accordance with the approved Package. Evidence of the legal securing of the offset must be provided to the Department within one month of the offset sites being secured including associated GPS coordinates and shapefiles.	Construction	in progress		as above
3	The approval holder must provide for The Minister's approval an <b>Offset Management Plan</b> for offset sites specified in the approved Package. The Offset Management Plans (the Plans) must be consistent with the Package, and can only be submitted to The Minister for approval after the Package has been approved by The Minister. A Plan must include:	Construction	in progress		<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> <li>• Letter to Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to significant delays by NSW OEH in assessing Biobanking Applications</li> </ul>
3 (a) to (i)	a) a qualitative and quantitative analysis of the ecological values of the offset sites in relation to the matter/s being offset; b) measures to prevent and control pest animal, weed or pathogen incursions, including through	Construction			<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> </ul>

	<p>edge effects, and feasible measures to eradicate invasive weed species;</p> <p>c) measures to prevent unauthorised public access;</p> <p>d) measures to maintain or enhance the values of the offset sites through ecologically sensitive fire regimes;</p> <p>e) measures to enhance the offset values of Offset Site A (Annexure A);</p> <p>f) measures to maintain or enhance the offset values of Offset Site B (Annexure A);</p> <p>g) a monitoring and reporting regime for tracking offset conditions and the effectiveness of management measures;</p> <p>h) an adaptive implementation programme for the Plan; and</p> <p>i) timeframes for Plan implementation.</p>				<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> </ul>
3	<p><b><u>Operation of the action may not commence</u></b> until <b>Offset Management Plans</b> have been approved in writing by The Minister. The Plans, once approved, must be implemented.</p>	Pre-operation			<p>Noted, currently awaiting assessment by NSW OEH of Biobanking Applications for "Windemere" and Rockview South" (See Appendix 2 for status of Biobanking Assessments)</p>
3	<p><i>Note: For convenience, Offset Management Plans for multiple offset sites may be combined.</i></p>	Pre-operation			
3A	<p>If, in accordance with the Package, an offset site is to be legally secured under the NSW Biodiversity Banking and Offsets Scheme, the management plan developed under the NSW Biodiversity Banking Agreement for that offset site is an Offset Management Plan for the purposes of Condition 3.</p>	Pre-operation	In progress		<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was submitted to OEH 24 May 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> <li>• Signed Biobanking Package submitted to OEH 5/12/2018</li> </ul>

					<ul style="list-style-type: none"> <li>• Letter of Environment and Energy on 4 December 2017 formally requesting extension of time to comply with this Condition due to significant delays by NSW OEH in assessing Biobanking Applications</li> </ul>
4	<p>To compensate for impacts on habitat for the Regent Honeyeater and Swift Parrot, the approval holder must contribute no less than \$250,000 (GST exclusive) in funding towards research by an appropriate institution, to assist in building the body of knowledge regarding how these species interact with, and are impacted by, wind farms.</p> <p>This sum may be donated in five increments of at least \$50,000 to be paid annually, commencing on operation of the action and thereafter on each anniversary of this date until up until the fourth anniversary, with evidence of payment provided to The Department within 30 days of each payment being made. An alternative payment structure may be implemented, following agreement by The Department that the alternate payment structure will realise a benefit to the body of knowledge of the research project/s to be funded.</p> <p>The expected outcomes and milestones of this research project/s must:</p>	Construction	in progress		<ul style="list-style-type: none"> <li>• The Australian National University (ANU) has been engaged to undertake this action</li> <li>• They will be working collaboratively with Brett Lane &amp; Associates (BL&amp;A) who prepared the Bird and Bat Adaptive Management Plan (BMAMP).</li> <li>• Final proposal submitted to CWPAM 15 December 2017</li> <li>• ANU entered into a contract with SWF1 Operations Pty Ltd on 5/11/2018 to deliver the research program.</li> <li>• See Appendix 5 for ANU Research Proposal</li> <li>• See Appendix 6 for confirmation of Contract execution</li> </ul>
4 (a)	be consistent with the relevant Recovery Plans for the species;	Construction			as above
4 (b)	take into account any results from the Bird and Bat Adaptive Monitoring Program referred to in Condition C6 of the NSW Minister for Planning and Environment's approval of the proposed action dated 26 June 2013; and	Construction			as above

4 (c)	be made available to the Department, relevant state government agencies and to the public within 20 business days of their approval and published on the approval holder's website throughout the duration of the research project/s and action.	Construction			as above
4	Operation of the action must not commence until the payment structure, expected outcomes and milestones of the research project/s have been approved in writing by the Minister.	Construction			as above
5	If at any time the NSW Director Generals Assessment Report and approval conditions (June 2013) are modified, the approval holder must notify the Department in writing of the actual date of the modification.	All	Yes	6/07/2016	CWP Renewables notified Commonwealth Minister of the proposed changes to the wind farm and that the NSW DPE has modified the Approval Conditions on 20/06/2016 (See Appendix 7 for copy of correspondence)
6	<b><u>Within 10 days after the commencement of the action</u></b> , the approval holder must advise the Department in writing of the actual date of commencement.	Pre-construction		9/12/2016	Within 10 days after the commencement of the action (See Appendix 8 for copy of correspondence)
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Site Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Departments website. The results of audits may also be publicised through the general media.	Construction Operation	in progress		Ongoing
8	By 31 December of <b><u>each year after the</u></b>	Construction	in progress		Annual requirement by 31 December

	<b>commencement of the action</b> , the approval holder must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of the Management Documents. These compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within five business days of the approval holder becoming aware of the actual or potential non-compliance.	Operation			
9	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	All			As required by the Minister
10	If the approval holder wishes to carry out any activity otherwise than in accordance with the Management Documents as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that Management Document. The varied activity shall not commence until the Minister has approved the varied Management Document in writing. The Minister will not approve a varied Management Document unless the revised Management Document would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised Management Document, that Management Document	All			As required

	must be implemented in place of the Management Document originally approved.				
11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species, listed ecological communities or listed migratory species to do so, the Minister may request that the approval holder make specified revisions to the Management Document specified in the conditions and submit the revised Management Document for the Minister's written approval. The approval holder must comply with any such request. The revised approved Management Document must be implemented. Unless the Minister has approved the revised Management Document, then the approval holder must continue to implement the Management Document originally approved, as specified in the conditions.	All			As required by the Minister
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Pre-construction	Yes	9/12/2016	Construction commenced 9 December 2016 (See Appendix 7 for copy of Letter to DEE notifying commencement)
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the Offset Plan(s) referred to in these conditions of approval on their website. The Offset Plan(s) must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Construction Operation			Noted
14	Unless otherwise agreed to in writing by The Minister, the approval holder must not construct or operate more than 109 wind turbines. Any request to construct or operate more then 109 (and up to 159) turbines	Construction Operation			75 WTG's will be constructed (See Appendix 8 for map)

	must include an analysis of impacts relevant to protected matters, and measures to avoid, mitigate and offset those additional impacts.				
--	---	--	--	--	--

## Appendix 1 Confirmation of Acceptance of CEMP by DEE



Mr Ed Mounsey  
Chief Operating Officer  
CWP Renewables  
PO Box 1708  
Newcastle NSW 2300

**EPBC 2011/5854: Sapphire Wind Farm, NSW, Construction Flora and Fauna Management Plan.**

Dear Mr Mounsey

Thank you for your email dated 28 September 2016 to the Department, requesting approval of the Construction Flora and Fauna Management Plan (CFFMP) in accordance with condition 1 of the approval for EPBC 2011/5854.

Officers of this Department have reviewed and advised me on the CFFMP and the requirements of approval condition 1. On this basis, and as a delegate of the Minister for the Environment and Energy, I have decided to approve the CFFMP. The plan must now be implemented.

In accordance with EPBC approval condition 10, if the approval holder wants to act other than in accordance with this approved plan, the approval holder must submit a revised plan for approval. Until the Minister (or delegate) has approved the revised plan, the approved version of the plan must continue to be implemented.

If you require further information regarding the above please contact Nathan O'Brien on (02) 6275 9682 or by email: [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

Yours sincerely

A handwritten signature in black ink that appears to read "Monica".

Monica Collins  
Assistant Secretary  
Compliance & Enforcement Branch  
Environment Standards Division

*18 Nov.* 2016

## Appendix 2 Confirmation of lodgement of Windermere Biobanking

 Reply  Reply All  Forward

Wed 24/05/2017 1:02 PM



Robert Humphries <roberth@ecoaus.com.au>

Submission of Windemere Biobank Site application

To Phil Wood

Cc Patric Millar; Greg Steenbeeke; Deanne Hickey

 You replied to this message on 24/05/2017 2:06 PM.

---

Thanks Phil

Patric, I confirm that we have now submitted the application to register Windemere as a Biobank site.

We hope to submit Rockview South later this week subject to receiving the signed application form from John Hunter.

Phil, you should shortly see all the associated files/reports including high resolution figures, Certificate of titles, Deposit Plan showing easements and GIS files.

If anything is missing please advise.

Please note that the accredited assessor for this site was Greg Steenbeeke whilst we was with ELA (now back at OEH Metro Region).

The application has been submitted in Greg's name as he did all the field work, the credit calculations and prepared the reports.

Should following the audit, we need to make any amendments, we assume that the assessment will be re-allocated back to ELA and we will assign a new assessor, however, we hope to be able to have Greg attend the site audit if one is required (Dimitri Young in North-East Branch has already been on-site with Greg).

Regards

**Robert Humphries**  
Manager BioBanking and Biocertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

[Reply](#) [Reply All](#) [Forward](#)

Wed 5/12/2018 3:38 PM



Humphries, Robert <RobertH@ecoaus.com.au>

FW: **Windemere** and Rockview South Biobank Updates

To Phil Wood

Cc Mark Branson; Matthew Flower; Patric Millar



BA379 Windemere\_Final.pdf  
4 MB

Hi Phil

SWF1 Operations Pty Ltd (ie Sapphire Wind Farm) have now revised the draft Agreement for the **Windemere** Biobank site and advise that all details are correct and they are happy to move forward with the signing.

As all credits generated will be categorised as "committed" to meet the offset requirements of the Sapphire Wind Farm and Solar Farm, they have advised that the Part B credits Value will be \$0.

Could you please make this addition to cl 6.3 of the Agreement and return for signing ASAP.

We will have a similar answer for Rockview by the end of the week.

Thank you.

**Robert Humphries**

Principal Consultant Biodiversity Offset Programs

Suite 2, Level 3, 668 Old Princes Hwy  
Sutherland, NSW 2232

PO Box 12, Sutherland NSW 1499  
T +61 2 8536 8620 | M +61 417 258 264



## Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application

 Reply  Reply All  Forward

Fri 2/06/2017 2:58 PM



Robert Humphries <roberth@ecoaus.com.au>

Submission of Rockview Sth Biobank Application

To [Patric Millar](#); [jhunter8](#)

Cc Ed Mounsey; Mark Branson

 You replied to this message on 5/06/2017 1:07 PM.

Action Items

 Get more add-ins

Patric/John, confirming that Rockview Sth was submitted to OEH today (as well as Windermere about a fortnight ago).

Now in the hands of OEH and when they get around to doing the review/site audit.

I expect this will be several months away, but if asked by DPE/DotEE re progress with securing offsets etc, at least you can advise that applications have been submitted.

Regards

### **Robert Humphries**

Manager BioBanking and Biocertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

### **Eco Logical Australia Pty Ltd**

Mailing Address: PO Box 12 Sutherland NSW 1499  
Street Address: Suite 2, Level 3, 668 Old Princes Highway, Sutherland NSW 2232  
T +61 2 8536 8620 | F +61 2 9542 5622 | M +61 417 258 264  
[roberth@ecoaus.com.au](mailto:roberth@ecoaus.com.au)  
<http://www.ecoaus.com.au>

Eco Logical Australia is a Registered Training Organisation offering a range of nationally accredited courses in environmental impact assessment. We can also tailor training courses for specific industry needs.

*Please consider the environment before printing this e-mail.*

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. ELA does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects and accepts no liability for any damage caused by this email or its attachments due to viruses interception corruption or unauthorised access. Please note that our servers may not be located in your country.

 Reply  Reply All  Forward

Mon 22/10/2018 9:14 AM



Humphries, Robert <RobertH@ecoaus.com.au>

Windemere and **Rockview** South Biobank Updates

To Phil Wood

Cc Julia Bayada; Patric Millar; Matthew Flower



---

**From:** Julia Bayada <[Julia.Bayada@environment.nsw.gov.au](mailto:Julia.Bayada@environment.nsw.gov.au)>

**Sent:** Thursday, 23 August 2018 10:26 AM

**To:** Humphries, Robert <[RobertH@ecoaus.com.au](mailto:RobertH@ecoaus.com.au)>

**Cc:** Patric Millar <[Patric.Millar@cwprenewables.com](mailto:Patric.Millar@cwprenewables.com)>; John Seidel <[John.Seidel@environment.nsw.gov.au](mailto:John.Seidel@environment.nsw.gov.au)>; Frolich, Michelle <[Michelle.Frolich@ecoaus.com.au](mailto:Michelle.Frolich@ecoaus.com.au)>; Krister Waern <[krister.waern@environment.nsw.gov.au](mailto:krister.waern@environment.nsw.gov.au)>; Phil Wood <[Phil.Wood@environment.nsw.gov.au](mailto:Phil.Wood@environment.nsw.gov.au)>

**Subject:** RE: Windemere Biobank Updates

Hi Rob

Each of the Biobanking Agreements for **Rockview** South and Sapphire Wind Farm have been drafted and are close to finalisation. I have forwarded your email on to Phil Wood and he will give you an update regarding your queries, as he is now handling the final stages of these agreements.

Kind regards,  
Julia

**Julia Bayada**  
**Project Officer**  
**Conservation and Regional Delivery**  
Ecosystem and Assessment Team

Level 4, 26 Honeysuckle Drive  
Newcastle NSW 2300  
Locked Bag 1002 Dangar NSW 2309  
**T** 02 4904 2729  
**E** [julia.bayada@environment.nsw.gov.au](mailto:julia.bayada@environment.nsw.gov.au)



## Appendix 4 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854



*Sapphire Wind Farm Project*

20 December 2018

Ref: AH/DEE001

Department of Environment and Energy

Attention: Hagen Ganahl

GPO Box 787

Canberra

ACT 2601

### **Request for Extension Time Sapphire Wind Farm NSW EPBC 2011/5854**

Dear Hagen Ganahl (*Secretary's Delegate*)

Approval EPBC No. 2011/5854 as modified was granted 21 June 2016 to SWF Operations Pty Ltd for the construction and operation of a 109 turbine windfarm between Glen Innes and Inverell. Notification of commencement of the activity was given to the Department of Environment and Energy on 19 December 2016 with the commencement date being specified as 9 December 2016.

A request is hereby made to the Assistant Secretary Compliance and Enforcement Branch for an extension of four months for compliance with Conditions of Approval 2, 3 and 4 of EPBC No. 2011/5854. The reason for the request for the extension of time is to allow the NSW Office of Environment and Heritage (OEH) to fully assess the BioBanking Applications for the properties that SWF have secured for BioBanking purposes and to allow SWF to complete negotiations with Fenner School at the Australian National University (ANU) to deliver research outcomes.

SWF is fully committed to the securing and offsetting areas of suitable native vegetation to ameliorate the impacts of clearing on site. To that end SWF purchased "Windemere" a 300.36 ha former grazing property to satisfy the requirements of Condition of Approval 2 (d) (i) and entered into a binding contract with the owners of "Rockview South" to satisfy the requirements of Condition of Approval 2 (d) (ii) and (iii).

The properties were assessed using the BioBanking Assessment Methodology 2014 (BBAM 2014) NSW Office of Environment and Heritage [OEH] 2014b. The BioBanking Application for "Windemere" was submitted to OEH on 24 May 2017 and "Rockview South" was submitted to OEH on 2 June 2017. The full package of documents submitted to OEH is provided as Enclosure 1 (Windemere Biobanking Assessment Report, Windemere Biobank Application, Windemere Management Actions (OEH Standard Template), Windemere Credit Report, Rockview South Biobanking Assessment Report, Rockview South Biobank Application, Rockview South Management Actions (OEH Standard Template), Rockview South Credit Report). At the time of submission to OEH BioBanking Assessments generally took three to four months to complete.

Due to proposed changes in the NSW biodiversity management legalisation framework OEH received an unprecedented number of BioBanking Applications during May and June. The large amount of BioBanking

applications received by OEH combined with the lack of trained staff within OEH to undertake assessment, audits and review of BioBanking Applications has led to significant delays in OEH's ability to deliver BioBanking Agreements. This has severely reduced SWF's ability to meet the required time frames as outlined in the Conditions of Approval.

OEH have indicated that they may be able to undertake field audits in mid-December with the view to registering the BioBanking Agreement in mid-February 2018. A full email trail with OEH, SWF and Ecological Australia regarding the status of both applications is contained in the enclosures.

Brett Lane and Associates (BLA) were engaged by SWF to prepare and manage the Bird and Bat Adaptive Management Plan (BBAMP) for the site once operations commence. The BBAMP was approved by OEH in August 2017. A copy of the approved BBAMP is contained in the enclosures.

Running concurrently with the preparation of the BBAMP SWF have been negotiating with the Fenner School ANU and BLA for the delivery of the research component outlined in Condition of Approval 4. These negotiations have experienced delays due the unavailability of key staff for face to face meetings in Canberra, however an active email trail has been established. The most recent a draft research proposal being circulated by email on 31 November 2017. Representatives of SWF, BBLA and Fenner School are meeting in Canberra on 11 December to finalise the research program for submission to the Board of SWF for their endorsement and approval.

The four-month extension of time requested by SWF will allow us to comply with the Conditions of Approval for EPBC No. 2011/5854. The request takes into account time that will be lost due to Office closures over the Christmas and New Year period and is based on the best information available from OEH, BLA and Fenner School at ANU.

Kind regards,



**Andrew Houston**  
**Project Manager**  
**Sapphire Wind Farm On behalf of the Employers Representative**

**Enclosures:**

Windemere Biobanking Assessment Report,  
Windemere Biobank Application,  
Windemere Management Actions (OEH Standard Template),  
Windemere Credit Report,  
Rockview South Biobanking Assessment Report,  
Rockview South Biobank Application,  
Rockview South Management Actions (OEH Standard Template),  
Rockview South Credit Report  
Email trail John Seidel NSW Office of Environment and Heritage regarding Biobanking assessment time lines  
Bird and Bat Adaptive Management Plan Sapphire Wind Farm

## Appendix 5 Fenner School ANU Research Proposal

### Sapphire Wind Farm Swift Parrot and Regent Honeyeater Project

#### ANU Fenner School of Environment and Society

##### Background – ANU involvement in Swift Parrot and Regent Honeyeater Research

The Fenner School of Environment and Society has been working on research and contributing to the development of national actions plans for both the Swift Parrot and Regent Honeyeater over the last 13 years.

Specific activities have included:

- Habitat modelling
- Field surveys
- Addressing landscape conservation issues
- Community engagement
- Development of specific management actions and plans

The ANU Fenner School team contributing to this effort include the key personnel below.

Prof Rob Heinsohn is the Swift Parrot and Regent Honeyeater research team leader. He has over 25 years' experience conducting field based research on endangered bird species. He currently leads a team of three post-doctoral researchers, a research officer and a PhD student (see below) with projects aimed at addressing landscape scale conservation issues affecting both species. Funding for these projects comes from two ARC grants, two mining offset grants, an SOS (NSW Govt) grant, and multiple small grants.

Dr Debbie Saunders is a post-doctoral researcher with 15 years' experience managing, developing and implementing threatened species recovery plan projects, with particular expertise on the critically endangered Swift Parrot. This includes building strong partnerships; securing threatened species program funding; providing expert threatened species' advice; delivering community engagement programs; populating and managing databases; and conducting threatened species research incorporating novel technologies.

Mr. Ross Crates is a PhD student investigating improved methods for detection of Regent Honeyeaters and the ecology of their breeding and large scale movements. He has recently led development on a breakthrough survey technique for detecting elusive Regent Honeyeaters across SE Australia. He located over 30 Regent Honeyeater nesting attempts in 2015, and recently found a number of birds in non-breeding habitat in early 2016.

#### Proposed Project approach

To ensure the project is implemented in a timely and professional manner, and explicitly addresses the Minister's approval requirements, we propose that the project be

implemented and managed by Dr Saunders and Mr Crates. Prof. Heinsohn and other team members would provide significant in-kind contributions in relation to additional technical expertise on both the target species, in-depth statistical analysis and preparation of regular project reports and scientific publications.

### Swift Parrot research

The specific elements of Swift Parrots research, with the leadership of Dr Saunders, will focus on:

- Identification of winter habitat use across the landscape by examining eight years of data on Swift Parrot habitat use throughout the species' winter range, including the Glen Innes region. This information would be analysed and evaluated by experts in the context of the Sapphire Wind Farm (provided by CWP Asset management), habitat/vegetation mapping (where available) and bioclimatic modelling for the species' winter range.
- Identify behavioural characteristics of swift parrots and corresponding risk factors in relation to potential collision hazards from windfarm structures and sites. Relevant data on bird strikes of co-occurring species from the Bird and Bat Adaptive Monitoring Program would also be considered when evaluating potential strike risk behaviours.
- This project would directly contribute to implementing each of the following recovery actions from the *Swift Parrot National Recovery Plan* as summarised below.
  - ✓ Action 1 - Identify the extent and quality of habitat – evaluation of swift parrot winter habitat in relation to the Sapphire Wind Farm
  - ✓ Action 2 - Manage and protect Swift Parrot habitat at the landscape scale – provide land managers with unique insights on the potential collision risks posed by windfarm structures and sites throughout the species' winter range
  - ✓ Action 3 - Monitor and manage the impact of collisions – identification of areas where collision risk from windfarms may be greatest to enable strategic planning and targeted monitoring

### Regent Honeyeater research

Due to low levels of previous field survey effort, current ecological knowledge of the Regent Honeyeater in the northern tablelands is poor. Therefore, the Regent Honeyeater research, implemented by Mr Crates, will focus on:

- Expert analysis of the suitability of habitat for Regent Honeyeaters in proximity to the Sapphire Wind Farm. This will be achieved using a combination of bioclimatic habitat modelling, vegetation mapping (where available) and an initial detailed field assessment of suitable habitat at the Sapphire Windfarm site and surrounding Glen Innes region.
- Based on the results of this initial habitat assessment, surveys for both Swift Parrots and Regent Honeyeaters will be planned according to the habitat present and its suitability for wintering and/or breeding.

- Identify behavioural characteristics of regent honeyeaters and corresponding risk factors in relation to potential collision hazards from windfarm structures and sites. Relevant data on bird strikes of co-occurring species from the Bird and Bat Adaptive Monitoring Program would also be considered when evaluating potential strike risk behaviours.
- This project would directly contribute to implementing the following recovery strategies identified in the *Regent Honeyeater National Recovery Plan*:
  - ✓ Strategy 1: Improve the extent and quality of regent honeyeater habitat – identification of potentially suitable sites and surveys conducted over three years within the poorly surveyed region around the Sapphire Wind Farm.
  - ✓ Strategy 3: Increase understanding of the size, structure and population trends of the wild population of Regent Honeyeaters – targeted surveys provide complementary population data for informing and adapting range-wide monitoring programs.

## Project dates

**Commencement date:** July 2018

**Completion date:** July 2021

## Project milestones and deliverables

The following milestones for this project will provide unique insights on the target species' behaviours and habitats, within the vicinity of the Sapphire Windfarm site, as well as more broadly. This will fill a significant knowledge gap in relation to how these species may interact with, or be impacted by, wind farms. The project will also provide a sound basis upon which future strategic windfarm management decisions can be made to improve the conservation of these species in regions impacted by wind farms. The project is proposed to be implemented over three years instead of five to ensure adequate resources are available to conduct the required field surveys and complex scientific analyses each year. All milestones will be reported on within project update and annual reports, as detailed in the deliverables table below.

Milestone	Delivery date
1 Initial field habitat assessment and survey site identification of the Sapphire Wind Farm and surrounds	Year 1
2 Surveys designed for target species based on above habitat assessment	Year 1
3 Compilation of available habitat mapping and modelling data for target species (winter habitat for swift parrots and winter/breeding habitat for regent honeyeaters)	Years 1-2
4 Surveys for target species implemented within the Glen Innes region	Years 1-3
5 Behavioural characteristics of target species identified and risk evaluation undertaken	Year 2
6 Analysis and evaluation of all project data in regards to the potential risk of windfarms to the target species	Year 3

Deliverables	Delivery format	Delivered to	Reporting frequency	Responsibility
Project update reports (1 page)	PDF via email	CWP Asset Management	Every 6 months, Years 1-3	ANU
Annual project reports, including financial reports	PDF via email	CWP Asset Management	Annually, Years 1-3	ANU
Annual project reports	PDF via email	Government agencies (NSW & C'wealth)	Annually, Years 1-3	CWP Asset Management
Annual project reports	Available on CWP web page	Public	Annually, Years 1-3	CWP Asset Management
Scientific publications in peer reviewed journals	PDF via email, Journal web page	CWP Asset Management, public	Year 3	ANU

### Project budget

Description	Yr 1	Yr 2	Yr 3	TOTAL
	2018-19	2019-20	2020-21	
<b>INCOME</b>				
Offset funding	83,000	83,000	84,000	250,000
<b>Total Income</b>	<b>83,000</b>	<b>83,000</b>	<b>84,000</b>	<b>250,000</b>
<b>EXPENSES</b>				
<b>Personnel (including on-costs)</b>	69,729	71,821	73,976	215,526
<b>Travel field expenses</b>	11,491	11,491	11,491	34,474
<b>Other project expenses</b>	2,741	2,741	2,741	8,224
<b>Total Expenses</b>	<b>81,220</b>	<b>83,312</b>	<b>85,467</b>	<b>250,000</b>

### Payment schedule

Payment type	Payment amount	Payment schedule
Initial project payment	\$83,000	Signing of project agreement July 2018
Progress payment	\$83,000	Upon provision of annual project report July 2019
Final payment	\$83,000	Upon provision of annual project report July 2020
<b>Total</b>	<b>\$250,000</b>	

### Project governance

A small working group would be established to oversee the delivery of the outputs to meet the requirement of the EPBC provisions. This would include:

- Fenner School, ANU
- Department of Environment, EPBC Unit
- CWP Asset Management
- Nominated expert for BBAMP implementation (as advised to DG).

This working group would meet on an annual basis, either in person or via phone, prior to delivery of each annual project report. The role of the working group would include:

- Agree on scope of project and detailed activities for each year
- Review and provide comments on annual project reports
- Ensure lessons learnt from the implementation of the BBAMP of the Sapphire Wind Farm are incorporated into risk assessment evaluations.

### **Project management**

Our ANU team has a wealth of experience successfully processing and delivering on environmental offset contracts and has well-established administrative processes for project management.

This project would utilise ANU's Research Office which manages and facilitates professional contract services, project reporting against milestones at agreed intervals (e.g. every 6-12 months) and delivery of project outcomes on time and to budget. The Research Office also has a dedicated Finance Team who provide professional and auditable financial services, including monthly account reports to actively keep track of expenditure and ensure all financial processing is done in an efficient and timely manner.

## Appendix 6 Fenner School Contract Execution

[Reply](#) [Reply All](#) [Forward](#)

Wed 21/11/2018 9:36 AM

DD

Derek Dymond

FW: ANU Invoice 467639 issued for your payment

To: Sapphire Admin; Tony Zhang

Cc: Sapphire Operations; Patric Millar



CWP and Crates-Heinsohn\_Grant Agreement\_Executed.pdf

416 KB



CRES4676390.pdf

104 KB



171213\_SWF\_2018 Operational Budget\_RevA (final).xlsx

591 KB

Hi Tony,

The attached invoice is approved for payment.

The invoiced amount aligns with the agreed amount in the SWF-ANU Grant Agreement, and is listed in row 85 of the 2018 budget.

Let me know if you have any questions.

Kind regards,

**Derek Dymond**  
Asset Manager  
**CWP Renewables Pty Ltd**

Ground Floor, Block E  
34 Thyne Street | Bruce ACT 2617 | Australia  
m: +61 (0)427 503 740  
t: +61 (0)2 6100 2122  
e: [derek.dymond@cwprenewables.com](mailto:derek.dymond@cwprenewables.com)

## Appendix 7 Commencement Letter to Department of Environment and Energy



*Delivering Energy. Powering Communities.*

19 December 2016

Mr Hagen Ganahl  
Assistant Director  
Post Approvals Section  
Commonwealth Department of the Environment and Energy  
*By email.*

Dear Hagen,

### **Sapphire Wind Farm (2011/5854) – Condition of Approval 6**

In accordance with Condition 6 of the Project Approval (2011/5854) for Sapphire Wind Farm (the Project), I am writing to advise you that the Project commenced construction on December 9, 2016. The project is not currently planned to be constructed in stages.

If you require further information, please contact me using the details below.

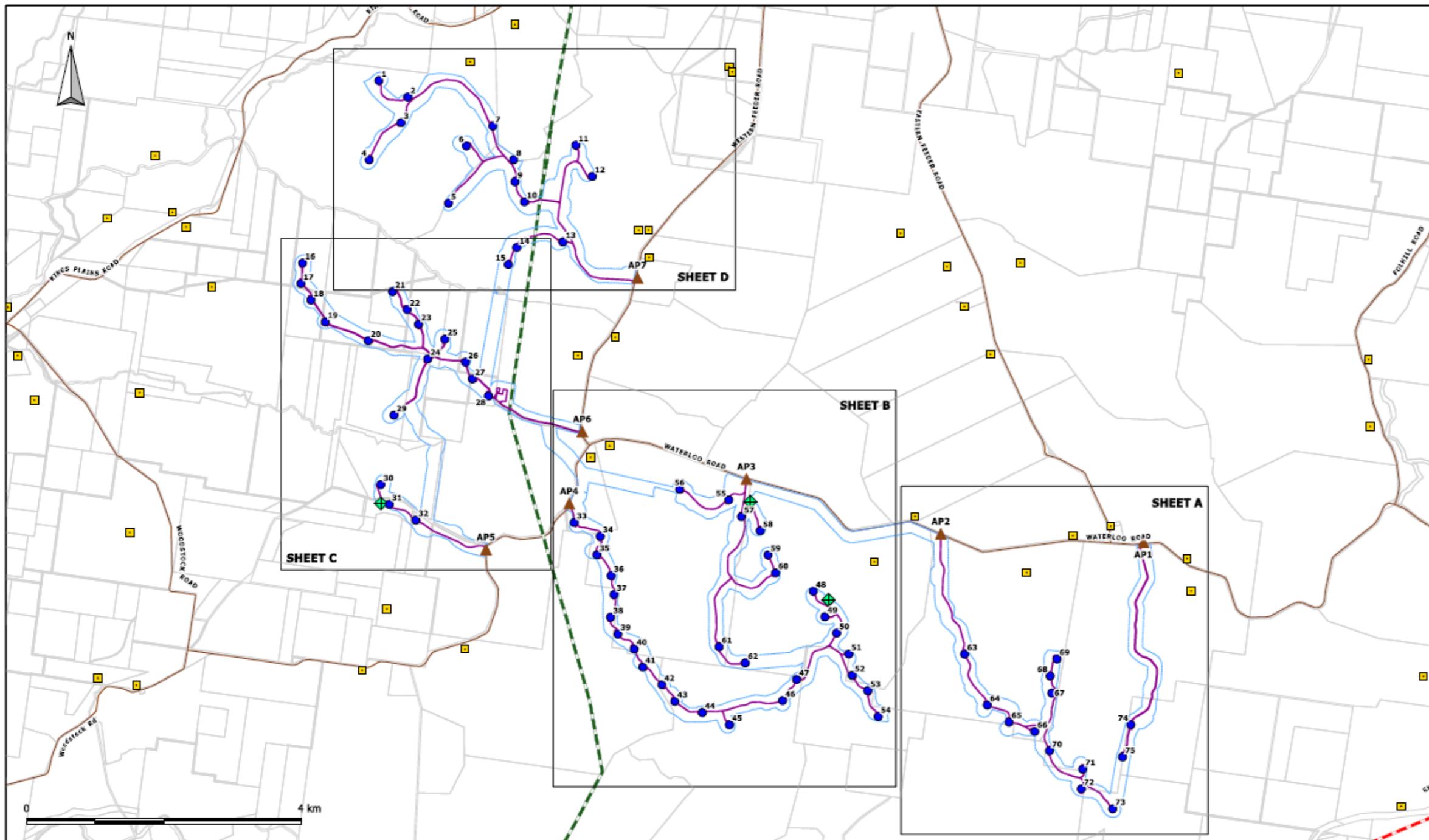
Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Edward Mounsey'.

*Edward Mounsey*  
CWP Renewables Pty Ltd  
[ed.mounsey@cwprenewables.com.au](mailto:ed.mounsey@cwprenewables.com.au)  
Mob: 0428 998 311

*Cc. Nathan O'Brien, Post Approvals Section.*

Appendix 8 Map of 75 Turbine Layout



LEGEND		COMPANY	
●	Turbine (75)	▲	Project Access Points
—	Permanent Works	—	132kV Transmission Line
■	Residence	—	330kV Transmission Line
◆	AEMO/Power Mast	■	Site Area
TITLE		SAPPHIRE WIND FARM PTY LTD	
DATE		SCALE	REV
21 SEP 2016	1:54000	SAP-109	A
DRAWN BY	CHECKED BY	SHEET	VER
B KRONENBERG	A OKEY	1 OF 6	1
		JOB NO	SIZE
		080602	A3



# Compliance Report

## Sapphire Wind Farm, NSW

### EPBC 2011/5854

Prepared by: Patric Millar CWP Renewables  
Date: 17 December 2019

This page left blank

Revision Control					
Revision	Date	Change Description	Author	Review	Approved
A	9/12/2019	Draft	Patric Millar	David Williamson	David Williamson
1	17/12/2019	For Issue	Patric Millar	David Williamson	David Williamson

Electronic documents, once printed are uncontrolled and may become outdated.

#### **CONFIDENTIALITY**

This document contains proprietary and confidential information, which is provided on a commercial in confidence basis. It may not be reproduced or provided in any manner to any third party without the consent of CWP Renewables Pty Ltd.

The recipient by retaining and using this document agrees to the above restrictions and shall protect the document and information contained in it from loss, theft and misuse.

#### **© Copyright CWP Renewables 2019**

This work and the information contained in it are the copyright of CWP Renewables Pty Ltd. No part of this document may be reprinted or reproduced without the consent of CWP Renewables Pty Ltd.

#### **Disclaimer:**

Whilst every effort has been made to ensure the accuracy of this information, the publisher accepts no responsibility for any discrepancies and omissions that may be contained herein.

This document has been approved on behalf of SWF1 Operations Pty Ltd (Sapphire Wind Farm) by:



Facility Project Manager, Sapphire Wind Farm

17 December 2019

## **Document Control**

Records of controlled copy distribution of this document are maintained by the Facility Manager or their delegate. Registered controlled copy recipients will automatically receive updates as and when amendments are made. Amended pages will be issued together and recipients are to ensure superseded versions are replaced and destroyed to prevent inadvertent use.

An electronic version will be maintained on the internal document management system.

## **Distribution list**

<b>Copy #</b>	<b>Issued to</b>	<b>Company &amp; position</b>
1	Hagen Ganahl	Department of Environment and Energy
2	David Williamson	Facilities Manager
3	Andrew Thompson	Asset Manager
4	José Fortes	Head of Operations
5	Murray Curtis	Environmental Representative

## Contents

Declaration of accuracy .....	6
Project Description.....	7
Compliance Table.....	8
Appendix 1 Confirmation of Acceptance of CEMP by DEE .....	16
Appendix 2 Confirmation of Approval of Windermere Biobanking.....	17
Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application .....	20
Appendix 4 Interim Report from Fenner School.....	21
Appendix 5 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854 .....	26
Appendix 6 Commencement Letter to Department of Environment and Energy.....	28
Appendix 7 75 Turbine Layout Map.....	29

## Declaration of accuracy

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



Signed

Full name (please print): David Williamson

Position (please print): Facility Manager

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

Date 17/12/2017

## Project Description

The Sapphire Wind Farm is situated 28 km east of Inverell and 18 km west of Glen Innes in the Northern Tablelands of NSW. The wind farm site covers approximately 8,921 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (750 m to 1,100 m above sea level, Australian Height Datum (AHD)), adjacent to the Waterloo Range to the east of the Project. The nearest township is Glen Innes, which is located approximately 18 km to the east along the Gwydir Highway.

The project involves a range of activities that vary over time and which move across the site as the development proceeds. Key stages and stage of development as at the time of reporting are shown in Table 1 Works Progress

Construction Activity	Progress December 2019
Site establishment including access provisions, fencing, installation of environmental controls, installation of site offices, laydown areas, a concrete batch plant and potential rock crushing facilities;	Completed
Construction of site access tracks to enable works to progress across the site;	Completed
Turbine site preparation for 75 3.6 MW V126 Vestas wind turbine sites	Completed
Substation site preparation;	Completed
Formation of concrete footings for turbines and the substation;	Completed
Installation of 33 kV underground cables and communication cables within each of the wind turbine clusters;	Completed
Installation of 33 kV overhead transmission lines and communication cables between the wind turbine clusters and the main collector substation;	Completed
Identification and upgrade of transport routes to facilitate haulage of over-size and over-mass wind turbine and substation components;	Completed
Transportation of turbine and substation components from point of origin to the site storage and laydown areas;	Completed
Transport of turbine components to turbine sites and substation items to the substation site;	Completed
Erection of turbine structures;	Completed
Installation of up to six permanent wind monitoring masts;	Completed
Construction of a 330 kV substation and switchyard with associated structures and buildings;	Completed
Connection to the existing TransGrid 330 kV transmission line with a new 330 kV line turn in of approximately 0.6 km with an associated 60 m wide easement;	Completed
Installation of appropriate wind farm signage both during the construction and operational phases of the proposed development;	Completed
Substation and wind turbine commissioning trials; and	Completed
Site restoration, revegetation of disturbed areas and completion of drainage works.	Completed

## Compliance Table

Number	Condition	Stage	Complies	Status / Comment
1	The person taking the action must provide <b>The Minister with a Construction Flora and Fauna Management Plan</b> . The Construction Flora and Fauna Management Plan must:	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(a)	meet the requirements of <b>Conditions E21 and E22(f)</b> of the NSW Minister for Planning and Environment's approval of the proposed action; and	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(b)	include analysis of the impacts on Regent Honeyeater and Swift Parrot and how these impacts will be managed (including relocation and micro-siting).	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1	Commencement of construction may not occur until the Construction Flora and Fauna Management Plan has been approved by the Minister.	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
2	<b>Prior to commencement of operation</b> of each stage of the action, the approval holder must provide for the Minister's approval a <b>Biodiversity Offset Package (the Package)</b> to protect and manage White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (BGW), and habitat for the Regent Honeyeater, Swift Parrot and Border Thick-tailed Gecko in perpetuity. The Package must:	Pre-construction	Yes	<ul style="list-style-type: none"> <li>Biobanking Offset package for "Windemere" was approved by OEH on 15 February 2019. (See Appendix 2 for "Windemere" Approval)</li> <li>Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval (See Appendix 3 for "Rockview South" Application))</li> </ul>
2(a)	Outline the purpose of the Package;	Pre-operation	Yes	
2(b)	Include map/s that clearly depict BGW, Border Thick-tailed Gecko, Regent Honeyeater and Swift Parrot habitat in the offset sites;	Pre-operation	in progress	

2(c)	Describe how the offset sites will be legally secured and managed to ensure the enduring value of the offset; and	Pre-operation	Yes	
2(d) i to iii	<p>Provide for the protection of offset sites containing at least:</p> <ul style="list-style-type: none"> <li>i. 260 hectares of BGW at Offset Site A (Annexure A) within one year of the commencement of construction;</li> <li>ii. 165 hectares of habitat for the Border Thick-tailed Gecko at Offset Site B (Annexure A), or alternate offset sites for the Border Thick-tailed Gecko agreed in writing by The Minister, within five years of the commencement of operation; and</li> <li>iii. 725 hectares of habitat for the Regent Honeyeater and Swift Parrot at Offset Sites A and B (Annexure A), or alternate offset sites for the Regent Honeyeater and Swift Parrot agreed in writing by The Minister, within five years of the commencement of operation.</li> </ul>	Construction	Yes	<ul style="list-style-type: none"> <li>• Eco Logical Australia were engaged to deliver biodiversity conditions. Two properties will provide for both NSW and Commonwealth offset requirements - "Windemere" and "Rockview South".</li> <li>• "Windemere" has been purchased.</li> <li>• CWP have entered into a contract with the owner of "Rockview South" to provide offset.</li> <li>• Biobanking Offset package for "Windemere" was approved by OEH on 15 February 2019.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> </ul>
2	Where an area of habitat is deemed suitable to meet the offset requirements of more than one species or community, the area of habitat may count towards the offset requirements for each species or community.	Construction	Yes	as above
2A	The approval holder must legally secure Offset Sites A and B (or alternate offset sites agreed in writing by the Minister) in accordance with the approved Package. Evidence of the legal securing of the offset must be provided to the Department within one month of the offset sites being secured including associated GPS coordinates and shapefiles.	Construction	Yes	as above

3	The approval holder must provide for The Minister's approval an <b>Offset Management Plan</b> for offset sites specified in the approved Package. The Offset Management Plans (the Plans) must be consistent with the Package, and can only be submitted to The Minister for approval after the Package has been approved by The Minister. A Plan must include:	Construction	Yes	<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was approved by OEH 15 February 2019.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> </ul>
3 (a) to (i)	a) a qualitative and quantitative analysis of the ecological values of the offset sites in relation to the matter/s being offset; b) measures to prevent and control pest animal, weed or pathogen incursions, including through edge effects, and feasible measures to eradicate invasive weed species; c) measures to prevent unauthorised public access; d) measures to maintain or enhance the values of the offset sites through ecologically sensitive fire regimes; e) measures to enhance the offset values of Offset Site A (Annexure A); f) measures to maintain or enhance the offset values of Offset Site B (Annexure A); g) a monitoring and reporting regime for tracking offset conditions and the effectiveness of management measures; h) an adaptive implementation programme for the Plan; and i) timeframes for Plan implementation.	Construction	Yes	
3	<b><u>Operation of the action may not commence</u></b> until <b>Offset Management Plans</b> have been approved in writing by The Minister. The Plans, once approved, must be implemented.	Pre-operation	Yes	Noted, currently awaiting assessment by NSW OEH of Biobanking Applications for "Windemere" and "Rockview South"

3	<i>Note: For convenience, Offset Management Plans for multiple offset sites may be combined.</i>	Pre-operation	Yes	
3A	If, in accordance with the Package, an offset site is to be legally secured under the NSW Biodiversity Banking and Offsets Scheme, the management plan developed under the NSW Biodiversity Banking Agreement for that offset site is an Offset Management Plan for the purposes of Condition 3.	Pre-operation	Yes	<ul style="list-style-type: none"> <li>• Biobanking Offset package for "Windemere" was approved by OEH 15 February 2019.</li> <li>• Biobanking Offset package for "Rockview South" was submitted to OEH 5 June 2017 for approval.</li> </ul>
4	<p>To compensate for impacts on habitat for the Regent Honeyeater and Swift Parrot, the approval holder must contribute no less than \$250,000 (GST exclusive) in funding towards research by an appropriate institution, to assist in building the body of knowledge regarding how these species interact with, and are impacted by, wind farms.</p> <p>This sum may be donated in five increments of at least \$50,000 to be paid annually, commencing on operation of the action and thereafter on each anniversary of this date until up until the fourth anniversary, with evidence of payment provided to The Department within 30 days of each payment being made. An alternative payment structure may be implemented, following agreement by The Department that the alternate payment structure will realise a benefit to the body of knowledge of the research project/s to be funded.</p> <p>The expected outcomes and milestones of this research project/s must:</p>	Construction	Yes	<ul style="list-style-type: none"> <li>• The Australian National University (ANU) was engaged on 5 November 2018 to undertake this action. See Appendix 4 for interim report</li> <li>• They will be working collaboratively with Brett Lane &amp; Associates (BL&amp;A) who prepared the Bird and Bat Adaptive Management Plan (BMAMP).</li> </ul>
4 (a)	be consistent with the relevant Recovery Plans for the species;	Construction	Yes	as above
4 (b)	take into account any results from the Bird and Bat Adaptive Monitoring Program referred to in Condition C6 of the NSW Minister for Planning and	Construction	Yes	as above

	Environment's approval of the proposed action dated 26 June 2013; and			
4 (c)	be made available to the Department, relevant state government agencies and to the public within 20 business days of their approval and published on the approval holder's website throughout the duration of the research project/s and action.	Construction	Yes	as above
4	Operation of the action must not commence until the payment structure, expected outcomes and milestones of the research project/s have been approved in writing by the Minister.	Construction	Yes	as above
5	If at any time the NSW Director Generals Assessment Report and approval conditions (June 2013) are modified, the approval holder must notify the Department in writing of the actual date of the modification.	All	Yes	CWP Renewables notified Commonwealth Minister of the proposed changes to the wind farm and that the NSW DPE has modified the Approval Conditions on 20/06/2016 (See Appendix 5 for copy of correspondence)
6	<b><u>Within 10 days after the commencement of the action</u></b> , the approval holder must advise the Department in writing of the actual date of commencement.	Pre-construction	Yes	Within 10 days after the commencement of the action (See Appendix 6 for copy of correspondence)
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Site Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the	Construction Operation	Yes	Ongoing

	Departments website. The results of audits may also be publicised through the general media.			
8	By 31 December of <u>each year after the commencement of the action</u> , the approval holder must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of the Management Documents. These compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within five business days of the approval holder becoming aware of the actual or potential non-compliance.	Construction Operation	Yes	Annual requirement by 31 December
9	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	All		As required by the Minister
10	If the approval holder wishes to carry out any activity otherwise than in accordance with the Management Documents as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that Management Document. The varied activity shall not commence until the Minister has approved the varied Management Document in writing. The Minister will not approve a varied Management Document unless the revised Management Document would result in an	All		As required

	equivalent or improved environmental outcome over time. If the Minister approves the revised Management Document, that Management Document must be implemented in place of the Management Document originally approved.			
11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species, listed ecological communities or listed migratory species to do so, the Minister may request that the approval holder make specified revisions to the Management Document specified in the conditions and submit the revised Management Document for the Minister's written approval. The approval holder must comply with any such request. The revised approved Management Document must be implemented. Unless the Minister has approved the revised Management Document, then the approval holder must continue to implement the Management Document originally approved, as specified in the conditions.	All		As required by the Minister
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Pre-construction	Yes	Construction commenced 9 December 2016 (See Appendix 5 for copy of Letter to DEE notifying commencement)
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the Offset Plan(s) referred to in these conditions of approval on their website. The Offset Plan(s) must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Construction Operation		Noted

14	Unless otherwise agreed to in writing by The Minister, the approval holder must not construct or operate more than 109 wind turbines. Any request to construct or operate more than 109 (and up to 159) turbines must include an analysis of impacts relevant to protected matters, and measures to avoid, mitigate and offset those additional impacts.	Construction Operation	Yes	75 WTG's have been constructed (See Appendix 7 for map)
----	--	------------------------	-----	---

## Appendix 1 Confirmation of Acceptance of CEMP by DEE



Mr Ed Mounsey  
Chief Operating Officer  
CWP Renewables  
PO Box 1708  
Newcastle NSW 2300

### EPBC 2011/5854: Sapphire Wind Farm, NSW, Construction Flora and Fauna Management Plan.

Dear Mr Mounsey

Thank you for your email dated 28 September 2016 to the Department, requesting approval of the Construction Flora and Fauna Management Plan (CFFMP) in accordance with condition 1 of the approval for EPBC 2011/5854.

Officers of this Department have reviewed and advised me on the CFFMP and the requirements of approval condition 1. On this basis, and as a delegate of the Minister for the Environment and Energy, I have decided to approve the CFFMP. The plan must now be implemented.

In accordance with EPBC approval condition 10, if the approval holder wants to act other than in accordance with this approved plan, the approval holder must submit a revised plan for approval. Until the Minister (or delegate) has approved the revised plan, the approved version of the plan must continue to be implemented.

If you require further information regarding the above please contact Nathan O'Brien on (02) 6275 9682 or by email: [post.approvals@environment.gov.au](mailto:post.approvals@environment.gov.au).

Yours sincerely

A handwritten signature in black ink that appears to read "Monica".

Monica Collins  
Assistant Secretary  
Compliance & Enforcement Branch  
Environment Standards Division

*18 Nov.* 2016

## Appendix 2 Confirmation of Approval of Windermere Biobanking



DOC19/59725

~~Andrew Houston  
SWF1 Operations P/L  
Ground Floor Block E, 34 Thynne Street  
BRUCE ACT 2617~~

Dear Andrew

Congratulations for establishing a biobank site through the Biodiversity Banking and Offsets (BioBanking) Scheme. The BioBanking agreement BA 379 for Windemere was finalised on 15 February 2019.

Enclosed is one copy of the BioBanking agreement, which has been signed by all parties. Another copy has been retained on file by the Office of Environment and Heritage, and a copy has also been sent to the Biodiversity Conservation Trust for their records.

The BioBanking agreement is in the process of being registered on the land title through NSW Land Registry Services.

A BioBanking Trust Fund account has been set up for your biobank site. The account number is TX-9970-S10379.

As you sell your biodiversity credits you will need the purchaser to deposit the Total Fund Deposit (or a portion of the Total Fund Deposit) into this account.

Contact details for the BioBanking Trust Fund are 1300 992 688 or email [info@bt.nsw.gov.au](mailto:info@bt.nsw.gov.au).

When you sell your biodiversity credits you will need to complete an 'Application to transfer biodiversity credits' which can be downloaded from  
<https://www.environment.nsw.gov.au/biodiversity/offsets-scheme-fees.htm>

Your BioBanking agreement is now available to view on the public register at <http://www.environment.nsw.gov.au/bimsprapp/BiobankingPR.aspx>. Your biobanking agreement ID is 379 and your credit owner ID is 481.

You are required to undertake passive management of the biobank site until your BioBanking Trust Fund Deposit has reached 80 percent of the Total Fund Deposit. Once 80 percent of the Total Fund Deposit has been reached, through the sale of biodiversity credits or investment earning, you must commence all active management actions.

Annual management payments from the BioBanking Trust Fund will only commence when your BioBanking Trust Fund Deposit has reached 80 percent of the Total Fund Deposit.

As part of the obligations of a BioBanking agreement, you need to keep a diary of events, activities and management actions on your biobank site, which is specified in Annexure C and Annexure D of the agreement. This diary will also be useful for completing your annual report.

Once again, congratulations on establishing your biobank site to conserve the biodiversity values on your land. Should you have any questions please contact Julia Bayada on (02) 4904 2729 or email [Julia.bayada@environment.nsw.gov.au](mailto:Julia.bayada@environment.nsw.gov.au).

Yours sincerely



 JOHN SEIDEL  
**Team Leader Ecosystem Assessment  
Conservation Programs Branch**

Enclosure: BioBanking Agreement

## Appendix 3 Confirmation of Lodgement of “Rockview South” Biobanking Application

 Reply  Reply All  Forward

Fri 2/06/2017 2:58 PM



Robert Humphries <roberth@ecoaus.com.au>

Submission of Rockview Sth Biobank Application

To [Patric Millar](#); [jhunter8](#)

Cc [Ed Mounsey](#); [Mark Branson](#)

 You replied to this message on 5/06/2017 1:07 PM.

Action Items

 Get more add-ins

Patric/John, confirming that Rockview Sth was submitted to OEH today (as well as Windermere about a fortnight ago).

Now in the hands of OEH and when they get around to doing the review/site audit.

I expect this will be several months away, but if asked by DPE/DotEE re progress with securing offsets etc, at least you can advise that applications have been submitted.

Regards

### **Robert Humphries**

Manager BioBanking and Biotcertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

### **Eco Logical Australia Pty Ltd**

Mailing Address: PO Box 12 Sutherland NSW 1499  
Street Address: Suite 2, Level 3, 668 Old Princes Highway, Sutherland NSW 2232  
T +61 2 8536 8620 | F +61 2 9542 5622 | M +61 417 258 264  
[roberth@ecoaus.com.au](mailto:roberth@ecoaus.com.au)  
<http://www.ecoaus.com.au>

Eco Logical Australia is a Registered Training Organisation offering a range of nationally accredited courses in environmental impact assessment. We can also tailor training courses for specific industry needs.

*Please consider the environment before printing this e-mail.*

This email (including any attachments) is confidential. If you are not the intended recipient you must not copy, use, disclose, distribute or rely on the information contained in it. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system. Confidentiality and legal privilege attached to this communication are not waived or lost by reason of mistaken delivery to you. ELA does not guarantee that this email or the attachment(s) are unaffected by computer virus, corruption or other defects and accepts no liability for any damage caused by this email or its attachments due to viruses interception corruption or unauthorised access. Please note that our servers may not be located in your country.

## Appendix 4 Interim Report from Fenner School

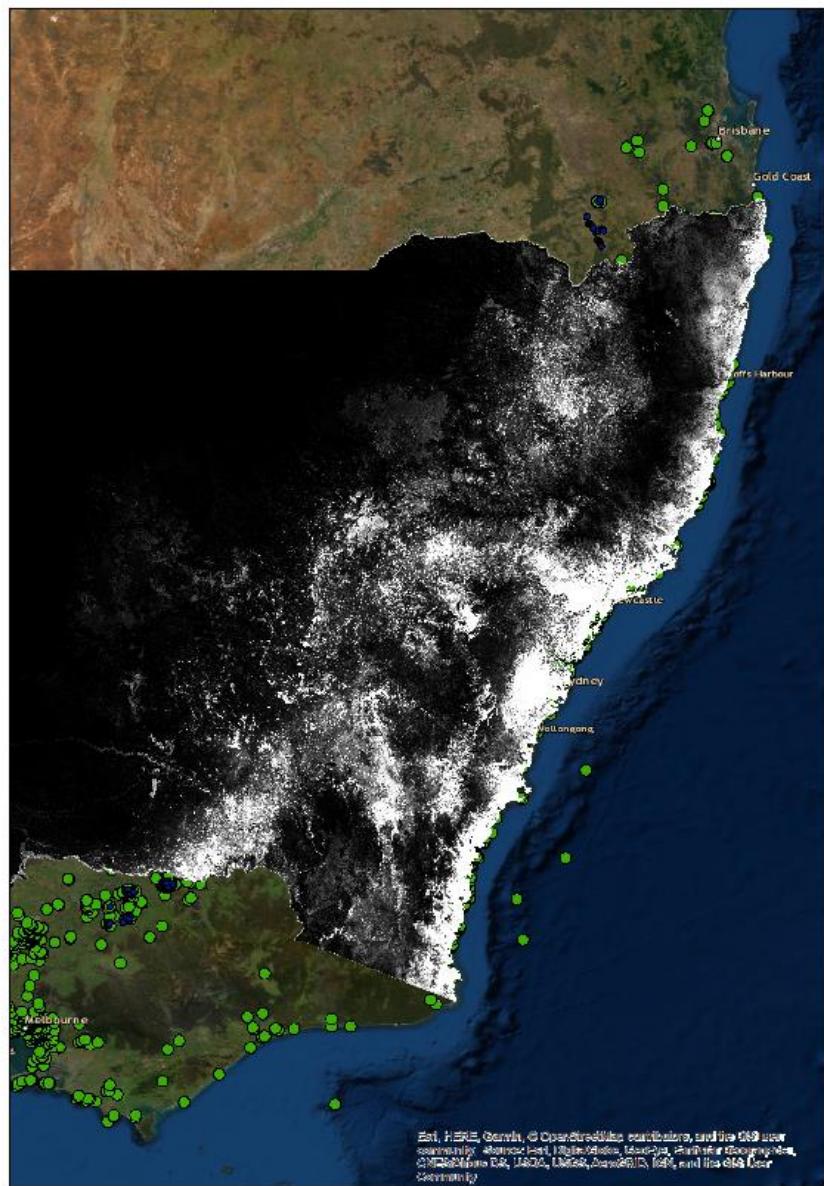
# Sapphire wind farm- Regent honeyeater and Swift Parrot biodiversity offset report

Spring 2019

## SWIFT PARROT

### HABITAT MODELLING AND MONITORING

- A high resolution habitat suitability map has been constructed for New South Wales (Fig 1).



**Figure 1.** Swift parrot habitat suitability model for New South Wales. Lighter colours indicate higher swift parrot habitat suitability.

- This map is currently being ground tested to help establish a winter monitoring program for swift parrots.
- Construction of a similar habitat model for Victoria and southern Queensland is ongoing.
- Round 1 of swift parrot and regent honeyeater surveys were completed by mid October.
- Swift parrots were detected at sites in the Lower Hunter, Capertee and Widden Valleys and in northern Victoria. No swift parrots were detected in the NSW northern tablelands due to a widespread lack of blossom resulting from drought conditions.

#### *FUTURE RESEARCH PLANS*

- Continue to collaborate with BirdLife Australia to establish a range-wide winter monitoring program for the swift parrot.
- We are currently compiling a collision risk database of parrot species and other migratory bird species to help quantify collision risk as a surrogate for a lack of available empirical data for swift parrots.

## **REGENT HONEYEATER**

#### *HABITAT ASSESSMENT*

- We have completed a standardised habitat assessment of all national regent honeyeater monitoring sites. These data will be crucial for modelling the occurrence of regent honeyeaters, swift parrots and other taxa throughout their ranges, an in particular with respect to the Sapphire Wind Farm and other wind farms within the species' ranges.
- A 10 day habitat scoping project for other areas of potential regent honeyeater breeding habitat within the NSW northern Tablelands was conducted in May.

#### *MONITORING*

- 17 additional regent honeyeater and swift parrot monitoring sites have been established in the vicinity of Sapphire Wind farm, primarily along Kings Plains and Wellingrove Roads in high quality white box, mugga ironbark, stringybark and yellow box woodland patches.
- A key outcome of the habitat scoping was to search further for regent honeyeaters in the Moogem Valley, east of Glen Innes. Severe fires have prevented us from implementing these searches to date.
- The 2019 regent honeyeater field season is ongoing. A summary of the 2019 data to date is as follows:
- A pair of regent honeyeaters were detected during range-wide monitoring near Bundarra in mid October (approximately 80 Km south-west of Sapphire wind farm). No nesting activity was detected.
- This or a different pair were reported two weeks previously, approximately 10km north of Bundarra and 70 Km from Sapphire wind farm.
- A single male was reported to BirdLife near Bingara (approximately 90 Km WSW of Sapphire wind farm).
- These 3-5 birds represent the closest 2019 spring records to the Sapphire wind farm, with all other spring records >100 km from the site.

- Severe drought conditions have impacted the number of regent honeyeaters present in the Glen Innes- Inverell-Severn River area. In many areas there is widespread Eucalyptus and Casuarina mortality due to the drought.
- The remainder of regent honeyeater breeding activity has been within the greater Blue Mountains.
- Approximately 30 birds have been detected in the Capertee Valley, 12 birds in the Goulburn River area, 3 birds in the Wolgan Valley and at least 2 pairs nesting in western Sydney.
- As of 19/11/2019, 10 juveniles are known to have fledged. A further 9 nests are currently active.



©David Stowe

- Nest protection measures in the form of trunk guards to prevent possums accessing nest trees and localised culls of noisy miners are being implemented.
- We are working closely with northern tablelands Local Land Services to provide scientific advice on where best to direct funds for habitat restoration to maximise conservation benefit for regent honeyeaters. Much of these funds will be directed into habitat restoration around the Severn River, where we have detected regent honeyeaters nesting in 2016 and 2017.

#### *RESEARCH OUTPUT*

- Our study into the population genetics of regent honeyeaters has been published. The paper can be accessed here <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0223953> and is also attached.
- We show that the birds in the north of the range were, and still are, closely genetically related to the birds in the south of the range. This suggests that long distance movements of regent honeyeaters throughout their range are still occurring.
- Our second paper into the effectiveness of culling noisy miners at a regent honeyeater nesting site is currently in revision

#### *FUTURE RESEARCH PLANS*

- Continue to collaborate with BirdLife Australia to establish a range-wide winter monitoring program for the swift parrot.
- Conduct surveys for nest predators at known regent honeyeater nest locations to determine if spatial variation in nest predator abundance predicts spatial variation in regent honeyeater nest survival.
- Continue to expand/refine the national regent honeyeater monitoring program.
- Conduct a population viability analysis with the demographic data we have gathered on regent honeyeaters over the past 5 years. Evaluate the potential impact of successful nest protection on the regent honeyeater population growth rate.
- Establish a bird collision database from the BBAMP to model bird strike probability for swift parrot and regent honeyeater.
- Use the regent honeyeater national monitoring data in combination with data on noisy miner culling to identify priority areas for future noisy miner suppression under a structured decision-making framework.

Dr Ross Crates

email: [ross.crates@anu.edu.au](mailto:ross.crates@anu.edu.au)

Prof. Rob Heinsohn

robert.heinsohn@anu.edu.au

## Appendix 5 Letter to DEE Requesting Extension of time to Comply with EPBC2011/5854

17 December 2019

Ref: AH/DEE001

Department of Environment and Energy

Attention: Hagen Ganahl

GPO Box 787

Canberra

ACT 2601



### **Request for Extension Time Sapphire Wind Farm NSW EPBC 2011/5854**

Dear Hagen Ganahl (*Secretary's Delegate*)

Approval EPBC No. 2011/5854 as modified was granted 21 June 2016 to SWF Operations Pty Ltd for the construction and operation of a 109 turbine windfarm between Glen Innes and Inverell. Notification of commencement of the activity was given to the Department of Environment and Energy on 19 December 2016 with the commencement date being specified as 9 December 2016.

A request is hereby made to the Assistant Secretary Compliance and Enforcement Branch for an extension of four months for compliance with Conditions of Approval 2, 3 and 4 of EPBC No. 2011/5854. The reason for the request for the extension of time is to allow the NSW Office of Environment and Heritage (OEH) to fully assess the BioBanking Applications for the properties that SWF have secured for BioBanking purposes and to allow SWF to complete negotiations with Fenner School at the Australian National University (ANU) to deliver research outcomes.

SWF is fully committed to the securing and offsetting areas of suitable native vegetation to ameliorate the impacts of clearing on site. To that end SWF purchased "Windemere" a 300.36 ha former grazing property to satisfy the requirements of Condition of Approval 2 (d) (i) and entered into a binding contract with the owners of "Rockview South" to satisfy the requirements of Condition of Approval 2 (d) (ii) and (iii).

The properties were assessed using the BioBanking Assessment Methodology 2014 (BBAM 2014) NSW Office of Environment and Heritage [OEH] 2014b. The BioBanking Application for "Windemere" was submitted to OEH on 24 May 2017 and "Rockview South" was submitted to OEH on 2 June 2017. The full package of documents submitted to OEH is provided as Enclosure 1 (Windemere Biobanking Assessment Report, Windemere Biobank Application, Windemere Management Actions (OEH Standard Template), Windemere Credit Report, Rockview South Biobanking Assessment Report, Rockview South Biobank Application, Rockview South Management Actions (OEH Standard Template), Rockview South Credit Report). At the time of submission to OEH BioBanking Assessments generally took three to four months to complete.

Due to proposed changes in the NSW biodiversity management legalisation framework OEH received an unprecedented number of BioBanking Applications during May and June. The large amount of BioBanking applications received by OEH combined with the lack of trained staff within OEH to undertake assessment, audits and review of BioBanking Applications has led to significant delays in OEH's ability to deliver BioBanking

Agreements. This has severely reduced SWF's ability to meet the required time frames as outlined in the Conditions of Approval.

OEH have indicated that they may be able to undertake field audits in mid-December with the view to registering the BioBanking Agreement in mid-February 2018. A full email trail with OEH, SWF and Ecological Australia regarding the status of both applications is contained in the enclosures.

Brett Lane and Associates (BLA) were engaged by SWF to prepare and manage the Bird and Bat Adaptive Management Plan (BBAMP) for the site once operations commence. The BBAMP was approved by OEH in August 2017. A copy of the approved BBAMP is contained in the enclosures.

Running concurrently with the preparation of the BBAMP SWF have been negotiating with the Fenner School ANU and BLA for the delivery of the research component outlined in Condition of Approval 4. These negotiations have experienced delays due the unavailability of key staff for face to face meetings in Canberra, however an active email trail has been established. The most recent a draft research proposal being circulated by email on 31 November 2017. Representatives of SWF, BBLA and Fenner School are meeting in Canberra on 11 December to finalise the research program for submission to the Board of SWF for their endorsement and approval.

The four-month extension of time requested by SWF will allow us to comply with the Conditions of Approval for EPBC No. 2011/5854. The request takes into account time that will be lost due to Office closures over the Christmas and New Year period and is based on the best information available from OEH, BLA and Fenner School at ANU.

Kind regards,



**Andrew Houston**  
**Project Manager**  
**Sapphire Wind Farm On behalf of the Employers Representative**

**Enclosures:**

Windemere Biobanking Assessment Report,  
Windemere Biobank Application,  
Windemere Management Actions (OEH Standard Template),  
Windemere Credit Report,  
Rockview South Biobanking Assessment Report,  
Rockview South Biobank Application,  
Rockview South Management Actions (OEH Standard Template),  
Rockview South Credit Report  
Email trail John Seidel NSW Office of Environment and Heritage regarding Biobanking assessment time lines  
Bird and Bat Adaptive Management Plan Sapphire Wind Farm

## Appendix 6 Commencement Letter to Department of Environment and Energy



*Delivering Energy. Powering Communities.*

17 December 2019

Mr Hagen Ganahl  
Assistant Director  
Post Approvals Section  
Commonwealth Department of the Environment and Energy  
*By email.*

Dear Hagen,

### **Sapphire Wind Farm (2011/5854) – Condition of Approval 6**

In accordance with Condition 6 of the Project Approval (2011/5854) for Sapphire Wind Farm (the Project), I am writing to advise you that the Project commenced construction on December 9, 2016. The project is not currently planned to be constructed in stages.

If you require further information, please contact me using the details below.

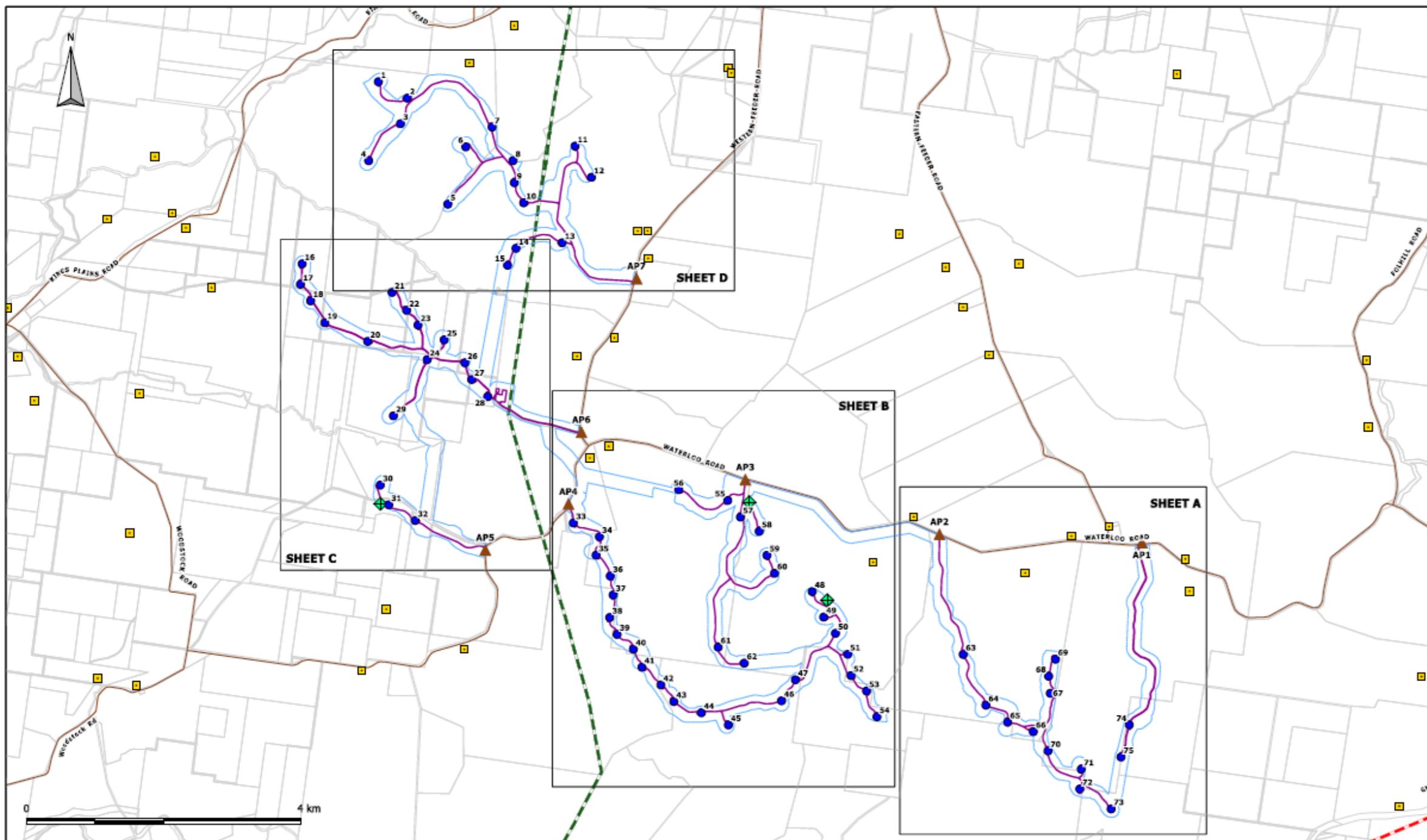
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Edward Mounsey".

*Edward Mounsey*  
CWP Renewables Pty Ltd  
[ed.mounsey@cwpnewables.com.au](mailto:ed.mounsey@cwpnewables.com.au)  
Mob: 0428 998 311

*Cc. Nathan O'Brien, Post Approvals Section.*

## Appendix 7 75 Turbine Layout Map



LEGEND		COMPANY	
● Turbine (75)	▲ Project Access Points	SAPPHIRE WIND FARM PTY LTD	
— Permanent Works	— 132kV Transmission Line	TITLE	
■ Residence	— 330kV Transmission Line	SCHEDULE G: SITE MAP OVERVIEW	
◆ AEMO/Power Mast	■ Site Area	DATE	SCALE
		21 SEP 2016	1:54000
		DRAWN BY	DWG NO
		B KRONENBERG	SAP-109
		CHECKED BY	REV
		A OKEY	A
		SHEET	VER
		1 OF 6	1
		JOB NO	080602
		SIZE	A3

# ANNUAL COMPLIANCE REPORT

Sapphire Wind Farm, NSW  
EPBC 2011/5854

25 March 2021

## REVISION CONTROL

Revision	Date	Issue	Author	Reviewed	Approved	Signature
1	24/03/21	Draft	Leanne Cross	Matthew Jackson	Jose Fortes	

## CONFIDENTIALITY

This document contains proprietary and confidential information, which is provided on a commercial in confidence basis. It may not be reproduced or provided in any manner to any third party without the consent of CWP Renewables Pty Ltd.

© Copyright CWP Renewables 2021. This work and the information contained in it are the copyright of CWP Renewables Pty Ltd. No part of this document may be reprinted or reproduced without the consent of CWP Renewables Pty Ltd.

## DISCLAIMER:

Whilst every effort has been made to ensure the accuracy of this information, the publisher accepts no responsibility for any discrepancies and omissions that may be contained herein.

# Contents

Declaration of accuracy .....	1
Project Description.....	2
Compliance Table.....	4

## Tables

Table 1 – Works Progress.....	2
Table 2 – Compliance Table .....	4

## Declaration of accuracy

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



Signed

Full name (please print): Jose Fortes

Position (please print): Head of Operations

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

Date: 25 March 2021

## 1 Project Description

The Sapphire Wind Farm is situated 28 km east of Inverell and 18 km west of Glen Innes in the Northern Tablelands of NSW. The wind farm site covers approximately 8,921 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (750 m to 1,100 m above sea level, Australian Height Datum (AHD)), adjacent to the Waterloo Range to the east of the Project. The nearest township is Glen Innes, which is located approximately 18 km to the east along the Gwydir Highway.

This report covers the operation of the wind farm from 09/12/2019 to 08/12/2020.

The project involves a range of activities that vary over time and which move across the site as the development proceeds. Key stages and stage of development as at the time of reporting are shown in Table 1 Works Progress.

Table 1 – Works Progress

Construction Activity	Progress December 2020
Site establishment including access provisions, fencing, installation of environmental controls, installation of site offices, laydown areas, a concrete batch plant and potential rock crushing facilities;	Completed
Construction of site access tracks to enable works to progress across the site;	Completed
Turbine site preparation for 75 3.6 MW V126 Vestas wind turbine sites	Completed
Substation site preparation;	Completed
Formation of concrete footings for turbines and the substation;	Completed
Installation of 33 kV underground cables and communication cables within each of the wind turbine clusters;	Completed
Installation of 33 kV overhead transmission lines and communication cables between the wind turbine clusters and the main collector substation;	Completed
identification and upgrade of transport routes to facilitate haulage of over-size and over-mass wind turbine and substation components;	Completed
Transportation of turbine and substation components from point of origin to the site storage and laydown areas;	Completed
Transport of turbine components to turbine sites and substation items to the substation site;	Completed
Erection of turbine structures;	Completed
Installation of up to six permanent wind monitoring masts;	Completed
Construction of a 330 kV substation and switchyard with associated structures and buildings;	Completed
Connection to the existing TransGrid 330 kV transmission line with a new 330 kV line turn in of approximately 0.6 km with an associated 60 m wide easement;	Completed

Installation of appropriate wind farm signage both during the construction and operational phases of the proposed development;	Completed
Substation and wind turbine commissioning trials; and	Completed
Site restoration, revegetation of disturbed areas and completion of drainage works.	Completed

## 2 Compliance Table

Table 2 – Compliance Table

Number	Condition	Stage	Complies	Status / Comment
1	The person taking the action must provide The Minister with a <b>Construction Flora and Fauna Management Plan</b> . The Construction Flora and Fauna Management Plan must:	Pre-construction	Yes	<p>The Construction Flora and Fauna Management Plan (CFFMP) was approved by the Minister 18 November 2016 (prior to commencement of construction 9 December 2016).</p> <p>No change to the CFFMP has occurred within the reporting period.</p>
1(a)	meet the requirements of <b>Conditions E21 and E22(f)</b> of the NSW Minister for Planning and Environment's approval of the proposed action; and	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1(b)	include analysis of the impacts on Regent Honeyeater and Swift Parrot and how these impacts will be managed (including relocation and micro-siting).	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
1	<b>Commencement of construction</b> may not occur until the Construction Flora and Fauna Management Plan has been approved by the Minister.	Pre-construction	Yes	Section 6.6 and Annex G of the CEMP (see Appendix 1 for confirmation of acceptance of CEMP by NSW DPE)
2	<u>Prior to commencement of construction</u> the approval holder must provide for the Minister's approval a <b>Biodiversity Offset Package (Package)</b> to protect White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (BGW), and habitat for the Regent Honeyeater, Swift Parrot and Border Thick-tailed Gecko in perpetuity. The Package must:	Pre-Operation	Yes	<p>The Biodiversity Offset Package was approved by the Minister 4 March 2018.</p> <p>No change to the Biodiversity Offset Package occurred within the reporting period.</p>
2(a)	Outline the purpose of the Package;	Pre-operation	Yes	

2(b)	Include map/s that clearly depict BGW, Border Thick-tailed Gecko, Regent Honeyeater and Swift Parrot habitat in the offset sites;	Pre-operation	Yes	
2(c)	Describe how the offset sites will be legally secured and managed to ensure the enduring value of the offset; and	Pre-operation	Yes	
2(d)	Provide for the protection of offset sites containing at least: <ul style="list-style-type: none"> <li>i. 260 hectares of BGW at Offset Site A (Annexure A) within 18 months of the <b>commencement of construction</b>;</li> <li>ii. 165 hectares of habitat for the Border Thick-tailed Gecko at Offset Site B (Annexure A), or alternate offset sites for the Border Thick-tailed Gecko agreed in writing by The Minister, within five years of the commencement of operation; and</li> <li>iii. 725 hectares of habitat for the Regent Honeyeater and Swift Parrot at Offset Sites A and B (Annexure A), or alternate offset sites for the Regent Honeyeater and Swift Parrot agreed in writing by The Minister, within five years of the commencement of operation.</li> </ul>	Pre-operation	Yes	
2	Where an area of habitat is deemed suitable to meet the offset requirements of more than one species or community, the area of habitat may count towards the offset requirements for each species or community.	Pre-operation	Yes	
2A	The approval holder must legally secure Offset Sites A and B (or alternate offset sites agreed in writing by the Minister) in accordance with the approved Package. Evidence of the legal securing of the offset must be provided to the Department within one month of the offset sites being secured including associated GPS coordinates and shapefiles.	Construction	No	<p>Offset Site A (Windemere) was purchased and a Biodiversity Banking Agreement registered over the title.</p> <p>Offset Site B (Rockview South) provided additional biobanking credits to meet the offset requirements. These credits have been secured by a second Biodiversity Banking Agreement registered over the title with the landholder.</p>

				No change to the Agreements have occurred within the reporting period.  Evidence of legally securing has not been provided to the Department.
3	The approval holder must provide for The Minister's approval an <b>Offset Management Plan</b> for offset sites specified in the approved Package. The Offset Management Plans (the Plans) must be consistent with the Package, and can only be submitted to The Minister for approval after the Package has been approved by The Minister. A Plan must include:	Pre-operation	Yes	Per condition 3A the offset Management plan have been developed under the NSW Biodiversity Banking Agreements.  The Biodiversity Banking Agreements address item (a) – (i).
3 (a) – (i)	<ul style="list-style-type: none"> <li>a) a qualitative and quantitative analysis of the ecological values of the offset sites in relation to the matter/s being offset;</li> <li>b) measures to prevent and control pest animal, weed or pathogen incursions, including through edge effects, and feasible measures to eradicate invasive weed species;</li> <li>c) measures to prevent unauthorised public access;</li> <li>d) measures to maintain or enhance the values of the offset sites through ecologically sensitive fire regimes;</li> <li>e) measures to enhance the offset values of Offset Site A (Annexure A);</li> <li>f) measures to maintain or enhance the offset values of Offset Site B (Annexure A);</li> <li>g) a monitoring and reporting regime for tracking offset conditions and the effectiveness of management measures;</li> <li>h) an adaptive implementation programme for the Plan; and</li> <li>i) timeframes for Plan implementation.</li> </ul>	Pre-operation	Yes	
3	<u>Operation of the action may not commence until Offset Management Plans</u> have been approved in writing by The Minister. The Plans, once approved, must be implemented.	Pre-operation	No	The Biodiversity Banking Agreements have not been provided to the Minister for approval.
3	<i>Note: For convenience, Offset Management Plans for multiple offset sites may be combined.</i>	Pre-operation	Note	

<b>3A</b>	If, in accordance with the Package, an offset site is to be legally secured under the NSW Biodiversity Banking and Offsets Scheme, the management plan developed under the NSW Biodiversity Banking Agreement for that offset site is an Offset Management Plan for the purposes of Condition 3.	Pre-operation	Yes	As both Windermere and Rockview South offsets sites have been secured under the NSW Biodiversity Banking and Offset Scheme, the management plans are those that have been developed under the Biodiversity Banking Agreements.
<b>4</b>	<p>To compensate for impacts on habitat for the Regent Honeyeater and Swift Parrot, the approval holder must contribute no less than \$250,000 (GST exclusive) in funding towards research by an appropriate institution, to assist in building the body of knowledge regarding how these species interact with, and are impacted by, wind farms.</p> <p>This sum may be donated in five increments of at least \$50,000 to be paid annually, commencing on operation of the action and thereafter on each anniversary of this date until up until the fourth anniversary, with evidence of payment provided to The Department within 30 days of each payment being made. An alternative payment structure may be implemented, following agreement by The Department that the alternate payment structure will realise a benefit to the body of knowledge of the research project/s to be funded.</p> <p>The expected outcomes and milestones of this research project/s must:</p>	Construction	No	<p>The following payments have been made toward research for the Regent Honeyeater and Swift Parrot:</p> <ul style="list-style-type: none"> <li>• year 1 \$83,000;</li> <li>• year 2 \$83,000; and</li> <li>• year 3 \$84,000.</li> </ul> <p>During this reporting period the final payment was made totalling \$250,000, consistent with the payment structure outlined in the approved research project.</p> <p>Evidence of payment was provided to the Department 11 March 2021. This notification was provided outside of the 30 days of each payment being made, as required by the condition.</p>
<b>4 (a)</b>	be consistent with the relevant Recovery Plans for the species;	Construction	Yes	This Proposal is available upon request to relevant state government agencies and the public. It is also published on the approval holders website.
<b>4 (b)</b>	take into account any results from the Bird and Bat Adaptive Monitoring Program referred to in Condition C6 of the NSW Minister for Planning and Environment's approval of the proposed action; and	Construction	Yes	
<b>4 (c)</b>	be made available to the Department, relevant state government agencies and to the public within 20 business days of their approval and published on the approval holder's website throughout the duration of the research project/s and action.	Construction	Yes	

4	Operation of the action must not commence until the payment structure, expected outcomes and milestones of the research project/s have been approved in writing by the Minister.	Construction	Yes	<p>The payment structure, expected outcomes and milestones of the research project were approved by the Minister in writing 4 March 2018.</p> <p>No change to the payment structure, expected outcomes and milestones occurred during the reporting period.</p>
5	If at any time the NSW Director Generals Assessment Report and approval conditions (June 2013) are modified, the approval holder must notify the Department in writing of the actual date of the modification.	All	Yes	<p>CWP Renewables notified Commonwealth Minister of the proposed changes to the wind farm and that the NSW DPE has modified the Approval Conditions on 20 June 2016 (See Appendix 5 for copy of correspondence).</p> <p>The NSW Director Generals Assessment Report and approval conditions were not modified during this reporting period.</p>
6	<b><u>Within 10 days after the commencement of the action</u></b> , the approval holder must advise the Department in writing of the actual date of commencement.	Pre-construction	Yes	The Department was notified 17 December 2016 that commencement of the action occurred 9 December 2016.
7	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Site Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Departments website. The results of audits may also be publicised through the general media.	Construction Operation	Yes	During the reporting period the Department undertook an audit during which records to substantiate activities were made available.
8	By 31 December of <b><u>each year after the commencement of the action</u></b> , the approval holder must publish a report on their website addressing compliance with the conditions of this	Construction Operation	No	The report addressing compliance with the conditions of approval had not been published on the website by 31 December 2020 for this reporting period.

	approval over the previous 12 months, including implementation of the Management Documents. These compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within five business days of the approval holder becoming aware of the actual or potential non-compliance.			
9	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	All	Yes	No request from the Minister has been made to conduct an independent audit of compliance.
10	If the approval holder wishes to carry out any activity otherwise than in accordance with the Management Documents as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that Management Document. The varied activity shall not commence until the Minister has approved the varied Management Document in writing. The Minister will not approve a varied Management Document unless the revised Management Document would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised Management Document, that Management Document must be implemented in place of the Management Document originally approved.	All	Yes	Management Documents have not been revised during this reporting period.
11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species, listed ecological communities or listed migratory species to do so, the Minister may request that the approval holder make specified revisions to the Management Document specified in the conditions and submit the revised Management Document	All	Yes	No request from the Minister has been made to revise the Management Documents.

	for the Minister's written approval. The approval holder must comply with any such request. The revised approved Management Document must be implemented. Unless the Minister has approved the revised Management Document, then the approval holder must continue to implement the Management Document originally approved, as specified in the conditions.			
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Pre-construction	Yes	Construction commenced 9 December 2016, within 5 years from the date of the approval (ie 5 December 2014).
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the Offset Plan(s) referred to in these conditions of approval on their website. The Offset Plan(s) must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Construction Operation	Yes	The Biodiversity Banking Agreements for Windermere and Rockview South are published on the website.
14	Unless otherwise agreed to in writing by The Minister, the approval holder must not construct or operate more than 109 wind turbines. Any request to construct or operate more than 109 (and up to 159) turbines must include an analysis of impacts relevant to protected matters, and measures to avoid, mitigate and offset those additional impacts.	Construction Operation	Yes	Only 75 WTG's have been constructed.



## CONTACT

**Canberra**  
Suite 1.01, Level 1  
17 Moore Street  
Canberra, ACT 2601  
Phone: +61 2 6100 2122

**Newcastle**  
Level 2  
2 Market Street  
Newcastle, NSW 2300  
Phone: +61 2 4013 4640

**Sydney**  
Unit 11, Shore 2-3  
13 Hickson Road  
Dawes Point, NSW 2000

# ANNUAL COMPLIANCE REPORT

Sapphire Wind Farm, NSW  
EPBC 2011/5854

6 December 2021

#### **REVISION CONTROL**

Revision	Date	Issue	Author	Reviewed	Approved	Signature
1	23/12/2021	Final/Issued	Mikayla Henderson	Leanne Cross	Jose Fortes	
<hr/>						
<hr/>						

#### **CONFIDENTIALITY**

This document contains proprietary and confidential information, which is provided on a commercial in confidence basis. It may not be reproduced or provided in any manner to any third party without the consent of CWP Renewables Pty Ltd.

© Copyright CWP Renewables 2021. This work and the information contained in it are the copyright of CWP Renewables Pty Ltd. No part of this document may be reprinted or reproduced without the consent of CWP Renewables Pty Ltd.

#### **DISCLAIMER:**

Whilst every effort has been made to ensure the accuracy of this information, the publisher accepts no responsibility for any discrepancies and omissions that may be contained herein.

# Contents

Declaration of accuracy .....	1
Project Description .....	2
Compliance Table .....	3

## Tables

Table 1 – Compliance Table .....	3
----------------------------------	---

## Declaration of accuracy

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

Signed	
Full name (please print):	Jose Fortes
Position (please print):	Head of Operations
Organisation (please print including ABN/ACN if applicable):	SWF1 Operations Pty Ltd (ACN 601 425 316) SWF2 Operations Pty Ltd (ACN 601 425 325) SWF3 Operations Pty Ltd (ACN 601 425 334)
Date: 23/12/2021	

# 1 Project Description

The Sapphire Wind Farm (SWF) is located 28 km east of Inverell and 18 km west of Glen Innes in the Northern Tablelands of NSW. The wind farm site covers approximately 8,921 ha of land that has been mostly cleared for grazing, however areas of scattered remnant woodland still exist across the site, and on the elevated ridges to the north, north-east and south. The area is of moderate-to-high elevation (750 m to 1,100 m above sea level, Australian Height Datum (AHD)), adjacent to the Waterloo Range to the east of the Project. The nearest township is Glen Innes, which is located approximately 18 km to the east along the Gwydir Highway.

Development Consent was granted by the NSW Planning Assessment Commission (09\_0093) on 26 June 2013 and later modified on the 30 June 2016.

The Minister for Environment and Energy granted approval of SWF on 5 December 2014 with conditions covered by EPBC 2011/5845. The approval holder is SWF1 Operations Pty Ltd (ACN 601 425 316), SWF2 Operations Pty Ltd (ACN 601 425 325) and SWF3 Operations Pty Ltd (ACN 601 425 334). Variations to the EPBC approval were granted on the 11 June 2018 and 4 March 2018.

The project involves construction, operation and decommissioning of SWF. Construction on the site commenced December 2016 and operations commenced November 2018.

As required by Condition 8 of EPBC 2011/5845, the following report covers the 2021 reporting period, being the 12 months previous to the 31 December. During the reporting period, SWF has been in the operational phase.

## 2 Compliance Table

Table 1 – Compliance Table

Number	Condition	Stage	Compliance Status	Status / Comment
<b>1</b>	The person taking the action must provide <b>The Minister</b> with a <b>Construction Flora and Fauna Management Plan</b> . The <b>Construction Flora and Fauna Management Plan</b> must:	Pre-construction	Compliant	The Construction Flora and Fauna Management Plan (CFFMP) was approved by the Minister 18 November 2016 (prior to commencement of construction 9 December 2016).  No change to the CFFMP has occurred within the reporting period.
<b>1(a)</b>	meet the requirements of <b>Conditions E21 and E22(f)</b> of the NSW Minister for Planning and Environment's approval of the proposed action; and	Pre-construction	Compliant	Section 5.6 of the CEMP and Annex G (CFFMP).
<b>1(b)</b>	include analysis of the impacts on Regent Honeyeater and Swift Parrot and how these impacts will be managed (including relocation and micro-siting).	Pre-construction	Compliant	Section 5.6 of the CEMP and Annex G (CFFMP).
<b>1</b>	<b>Commencement of construction</b> may not occur until the Construction Flora and Fauna Management Plan has been approved by the Minister.	Pre-construction	Compliant	The CFFMP was approved by the Minister 18 November 2016 (prior to commencement of construction 9 December 2016).
<b>2</b>	<b>Prior to commencement of construction</b> , the approval holder must provide for the Minister's approval a <b>Biodiversity Offset Package (Package)</b> to protect White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland ecological community (BGW), and habitat for the Regent Honeyeater, Swift Parrot and Border Thick-tailed Gecko in perpetuity. The Package must:	Pre-Operation	Compliant	The Biodiversity Offset Package was approved by the Minister 4 March 2018.  No change to the Biodiversity Offset Package occurred within the reporting period.
<b>2(a)</b>	Outline the purpose of the Package;	Pre-operation	Compliant	Section 1.2, 1.3 and 4.1 of the approved Biodiversity Offset Package.
<b>2(b)</b>	Include map/s that clearly depict BGW, Border Thick-tailed Gecko, Regent Honeyeater and Swift Parrot habitat in the offset sites;	Pre-operation	Compliant	Figures 4, 5, 8, 9 and 10 in Section 2.1 and 2.2 of the approved Biodiversity Offset Package.
<b>2(c)</b>	Describe how the offset sites will be legally secured and managed to ensure the enduring value of the offset; and	Pre-operation	Compliant	Section 4.4 of the approved Biodiversity Offset Package.

<b>2(d)</b>	Provide for the protection of offset sites containing at least:	Pre-operation	Compliant	Section 4.4 of the approved Biodiversity Offset Package.
	<ul style="list-style-type: none"> <li>i. 260 hectares of BGW at Offset Site A (Annexure A) within 18 months of the <b>commencement of construction</b>;</li> <li>ii. 165 hectares of habitat for the Border Thick-tailed Gecko at Offset Site B (Annexure A), or alternate offset sites for the Border Thick-tailed Gecko agreed in writing by The Minister, within five years of the commencement of operation; and</li> <li>iii. 725 hectares of habitat for the Regent Honeyeater and Swift Parrot at Offset Sites A and B (Annexure A), or alternate offset sites for the Regent Honeyeater and Swift Parrot agreed in writing by The Minister, within five years of the commencement of operation.</li> </ul>			
<b>2</b>	Where an area of habitat is deemed suitable to meet the offset requirements of more than one species or community, the area of habitat may count towards the offset requirements for each species or community.	Pre-operation	Compliant	Note
<b>2A</b>	The approval holder must legally secure Offset Sites A and B (or alternate offset sites agreed in writing by the Minister) in accordance with the approved Package. Evidence of the legal securing of the offset must be provided to the Department within one month of the offset sites being secured including associated GPS coordinates and shapefiles.	Construction	Compliant	<p>Offset Site A (Windemere) has been secured with BioBanking Agreement #379 on 15 January 2019 and was registered over the title.</p> <p>Offset Site B (Rockview South) has been secured with BioBanking Agreement #376 on the 16 January 2019 and registered over title. The Approval Holder has entered into a Biobanking Credit Acquisition Deed to acquire the credits required to meet the conditions of approval from this property.</p> <p>No change to the Agreements have occurred within the reporting period.</p> <p>A non-compliance was identified in previous reporting period as evidence of legally securing Offset Sites A and B was not provided within one month. Evidence of legally securing the offset sites was provided to the Department on 1 April 2021 to rectify the non-compliance.</p>

<b>3</b>	The approval holder must provide for The Minister's approval an <b>Offset Management Plan</b> for offset sites specified in the approved Package. The Offset Management Plans (the Plans) must be consistent with the Package, and can only be submitted to The Minister for approval after the Package has been approved by The Minister. A Plan must include:	Pre-operation	Compliant	Per condition 3A the biodiversity offsets are secured under the NSW Biodiversity Banking and Offsets Scheme. The BioBanking Agreements for Offset Sites A (Windemere) and B (Rockview South) address item (a) – (i).
<b>3 (a) – (i)</b>	<ul style="list-style-type: none"> <li>a) a qualitative and quantitative analysis of the ecological values of the offset sites in relation to the matter/s being offset;</li> <li>b) measures to prevent and control pest animal, weed or pathogen incursions, including through edge effects, and feasible measures to eradicate invasive weed species;</li> <li>c) measures to prevent unauthorised public access;</li> <li>d) measures to maintain or enhance the values of the offset sites through ecologically sensitive fire regimes;</li> <li>e) measures to enhance the offset values of Offset Site A (Annexure A);</li> <li>f) measures to maintain or enhance the offset values of Offset Site B (Annexure A);</li> <li>g) a monitoring and reporting regime for tracking offset conditions and the effectiveness of management measures;</li> <li>h) an adaptive implementation programme for the Plan; and</li> <li>i) timeframes for Plan implementation.</li> </ul>	Pre-operation	Compliant	The BioBanking Agreements for Offset Sites A (Windemere) and B (Rockview South) address item (a) – (i).
<b>3</b>	<b>Operation of the action may not commence</b> until <b>Offset Management Plans</b> have been approved in writing by The Minister. The Plans, once approved, must be implemented.	Pre-operation	Non-compliant	Non-compliance identified in previous reporting period as the BioBanking Agreements were not provided to The Minister for approval. The BioBanking Agreements for Offset Site A (Windemere) and B (Rockview South) were provided to the Minister for approval on 1 April 2021 however have not yet been formally approved in writing by The Minister.
<b>3</b>	<i>Note: For convenience, Offset Management Plans for multiple offset sites may be combined.</i>	Pre-operation	Note	
<b>3A</b>	If, in accordance with the Package, an offset site is to be legally secured under the NSW Biodiversity Banking and Offsets Scheme, the management plan developed under the NSW Biodiversity Banking Agreement for that offset site is an Offset Management Plan for the purposes of Condition 3.	Pre-operation	Compliant	As both Offset Site A (Windemere) and B (Rockview South) have been secured under the NSW Biodiversity Banking and Offset Scheme, the management plans are those that have been developed under the BioBanking Agreements.
<b>4</b>	To compensate for impacts on habitat for the Regent Honeyeater and Swift Parrot, the approval holder must contribute no less than \$250,000 (GST exclusive) in funding towards research by an appropriate institution, to assist in building the body of knowledge	Construction	Compliant	The following payments have been made toward research for the Regent Honeyeater and Swift Parrot: <ul style="list-style-type: none"> <li>• Year 1 \$83,000;</li> </ul>

<p>regarding how these species interact with, and are impacted by, wind farms.</p> <p>This sum may be donated in five increments of at least \$50,000 to be paid annually, commencing on operation of the action and thereafter on each anniversary of this date until up until the fourth anniversary, with evidence of payment provided to The Department within 30 days of each payment being made. An alternative payment structure may be implemented, following agreement by The Department that the alternate payment structure will realise a benefit to the body of knowledge of the research project/s to be funded.</p> <p>The expected outcomes and milestones of this research project/s must:</p>		<ul style="list-style-type: none"> <li>• Year 2 \$83,000; and</li> <li>• Year 3 \$84,000.</li> </ul> <p>During the previous reporting period the final payment was made totalling \$250,000, consistent with the payment structure outlined in the approved research project.</p> <p>Non-compliance identified in previous reporting period as notification of payment not completed within 30 days of each payment being made, Evidence of payment was provided to the Department 11 March 2021 to rectify this non-compliance.</p> <p>This Proposal is available upon request to relevant state government agencies and the public. It is also published on the approval holders website.</p>	
<b>4 (a)</b>	be consistent with the relevant Recovery Plans for the species;	Construction	Compliant
<b>4 (b)</b>	take into account any results from the Bird and Bat Adaptive Monitoring Program referred to in Condition C6 of the NSW Minister for Planning and Environment's approval of the proposed action; and	Construction	Compliant
<b>4 (c)</b>	be made available to the Department, relevant state government agencies and to the public within 20 business days of their approval and published on the approval holder's website throughout the duration of the research project/s and action.	Construction	Compliant
<b>4</b>	Operation of the action must not commence until the payment structure, expected outcomes and milestones of the research project/s have been approved in writing by the Minister.	Construction	Compliant
			<p>The payment structure, expected outcomes and milestones of the research project were approved by the Minister in writing 4 March 2018.</p> <p>No change to the payment structure, expected outcomes and milestones occurred during the reporting period.</p>
<b>5</b>	If at any time the NSW Director Generals Assessment Report and approval conditions (June 2013) are modified, the approval holder must notify the Department in writing of the actual date of the modification.	All	Compliant
			<p>CWP Renewables notified Commonwealth Minister of the proposed changes to the wind farm and that the NSW DPE has modified the Approval Conditions on 20 June 2016.</p> <p>The NSW Director Generals Assessment Report and approval conditions were not modified during this reporting period.</p>
<b>6</b>	<b>Within 10 days after the commencement of the action</b> , the approval holder must advise the Department in writing of the actual date of commencement.	Pre-construction	Compliant
			<p>The Department was notified 17 December 2016 that commencement of the action occurred 9 December 2016.</p>

7	<p>The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Site Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Departments website. The results of audits may also be publicised through the general media.</p>	Construction Operation	Compliant	<p>No audits conducted by the Department during the reporting period.</p> <p>SWF, as the approval holder, maintains accurate records substantiating to all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans.</p>
8	<p>By 31 December of <b>each year after the commencement of the action</b>, the approval holder must publish a report on their website addressing compliance with the conditions of this approval over the previous 12 months, including implementation of the Management Documents. These compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual non-compliance with any of the conditions of this approval must be reported to the Department in writing within five business days of the approval holder becoming aware of the actual or potential non-compliance.</p>	Construction Operation	Compliant	<p>Non-compliance identified in previous reporting period as the report addressing compliance with the conditions of approval was not published on the website by 31 December 2020 however has since been published.</p>
9	<p>Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>	All	Compliant	<p>No request from the Minister has been made to conduct an independent audit of compliance.</p>
10	<p>If the approval holder wishes to carry out any activity otherwise than in accordance with the Management Documents as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that Management Document. The varied activity shall not commence until the Minister has approved the varied Management Document in writing. The Minister will not approve a varied Management Document unless the revised Management Document would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised Management Document, that Management Document</p>	All	Compliant	<p>Management Documents have not been revised during this reporting period.</p>

---

must be implemented in place of the Management Document originally approved.

11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species, listed ecological communities or listed migratory species to do so, the Minister may request that the approval holder make specified revisions to the Management Document specified in the conditions and submit the revised Management Document for the Minister's written approval. The approval holder must comply with any such request. The revised approved Management Document must be implemented. Unless the Minister has approved the revised Management Document, then the approval holder must continue to implement the Management Document originally approved, as specified in the conditions.	All	Compliant	No request from the Minister has been made to revise the Management Documents.
12	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Pre-construction	Compliant	Construction commenced 9 December 2016, within 5 years from the date of the approval (i.e. 5 December 2014).
13	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the Offset Plan(s) referred to in these conditions of approval on their website. The Offset Plan(s) must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Construction Operation	Compliant	The BioBanking Agreements for Windermere and Rockview South are published on the website.
14	Unless otherwise agreed to in writing by The Minister, the approval holder must not construct or operate more than 109 wind turbines. Any request to construct or operate more than 109 (and up to 159) turbines must include an analysis of impacts relevant to protected matters, and measures to avoid, mitigate and offset those additional impacts.	Construction Operation	Compliant	Only 75 WTG's have been constructed.



## CONTACT

**Canberra**  
Suite 1.01, Level 1  
17 Moore Street  
Canberra, ACT 2601  
Phone: +61 2 6100 2122

**Newcastle**  
Level 2  
2 Market Street  
Newcastle, NSW 2300  
Phone: +61 2 4013 4640

**Sydney**  
Unit 11, Shore 2-3  
13 Hickson Road  
Dawes Point, NSW 2000