



**Sapphire**  
WIND FARM



**Compliance Report**  
**Sapphire Wind Farm, NSW**  
**EPBC 2011/5854**

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

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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

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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

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## Declaration of accuracy

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



Signed

Full name (please print): 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</b> with a <b>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	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 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)	<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>	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 General's 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 <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.	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)
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## Appendix 1 Confirmation of Acceptance of CEMP by DEE



Australian Government  
Department of the Environment and Energy

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 cursive script that reads "Monica".

Monica Collins  
Assistant Secretary  
Compliance & Enforcement Branch  
Environment Standards Division

18 Nov. 2016

## Appendix 2 Confirmation of Approval of Windermere Biobanking



Office of  
Environment  
& Heritage

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



*for* **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 Biocertification Impact Assessment & Offsets Programs  
Manager RTO Training Services

**Eco Logical Australia Pty Ltd**

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[roberth@ecoaus.com.au](mailto:roberth@ecoaus.com.au)

<http://www.ecoaus.com.au>

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## Appendix 4 Interim Report from Fenner School



- 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 legislation 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 to the unavailability of key staff for face to face meetings in Canberra, however an active email trail has been established. The most recent draft research proposal being circulated by email on 31 November 2017. Representatives of SWF, BLA 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.

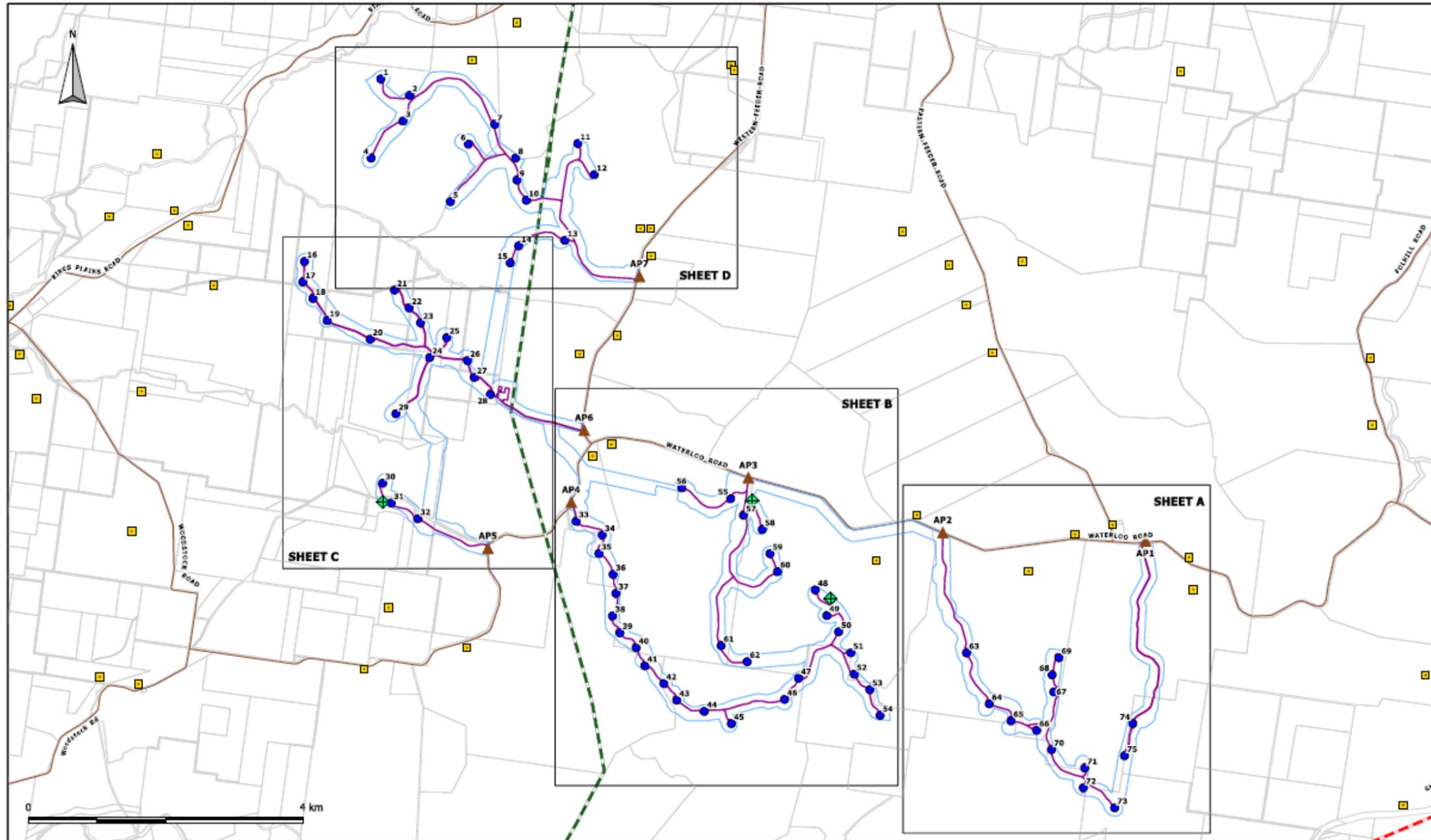
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ed 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 7 75 Turbine Layout Map



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