

Development Consent

Section 4.38 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I approve the development application referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent and/or minimise any adverse environmental impacts of the development;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the development.

Mike Young
A/Executive Director
Energy and Resource Assessments

Sydney

2019

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application Number:	SSD 9504
Applicant:	Lightsource Development Services Australia Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Land:	See Appendix 2
Development:	West Wyalong Solar Farm

FOR INFORMATION

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-9504-Mod-1	22 September 2021	Director	Road Upgrades

FOR INFORMATION

CONSOLIDATED CONSENT

TABLE OF CONTENTS

DEFINITIONS	5
ADMINISTRATIVE CONDITIONS	7
Obligation to Minimise Harm to the Environment	7
Terms of Consent	7
Final Layout Plans	7
Upgrading of Solar Panels and Ancillary Infrastructure	7
Work as Executed Plans	7
Notification of Department	7
Structural Adequacy	7
Demolition	8
Protection of Public Infrastructure	8
Operation of Plant and Equipment	8
ENVIRONMENTAL CONDITIONS – GENERAL	9
Transport	9
Landscaping	10
Land Management	11
Biodiversity	11
Amenity	12
Heritage	12
Soil and Water	13
Hazards	13
Waste	14
Accommodation and Employment Strategy	14
Decommissioning and Rehabilitation	15
ENVIRONMENTAL MANAGEMENT AND REPORTING	16
Environmental Management	16
Compliance	16
Independent Environmental Audit	17
Access to Information	17
APPENDIX 1 GENERAL LAYOUT OF DEVELOPMENT	18
APPENDIX 2 SCHEDULE OF LANDS	19
APPENDIX 3 ABORIGINAL HERITAGE ITEMS	20
APPENDIX 4 ROAD UPGRADES AND SITE ACCESS	22
APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	23

CONSOLIDATED CONSENT

DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Ancillary infrastructure	All project infrastructure with the exception of solar panels, including but not limited to collector substations, switching stations, permanent offices, battery storage and site compounds, electricity transmission lines and internal roads
Applicant	Lightsource Development Services Australia Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage system
BCS	Biodiversity Conservation and Science Directorate within the Department
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
Conditions of this consent	Conditions contained in Schedules 1 to 4 inclusive
Construction	The construction of the development, including but not limited to the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network, building/road dilapidation surveys, installation of fencing, artefact survey and/or salvage, overhead line safety marking and geotechnical drilling and/or surveying)
Council	Bland Shire Council
Decommissioning	The removal of solar panels and ancillary infrastructure and/or rehabilitation of the site
Department	Department of Planning, Industry and Environment
Development	The development as described in the EIS
Development footprint	The area within the site on which the components of the project will be constructed (shown in Appendix 1)
DPIE Water	Water Group within the Department
EIS	The environmental impact statement for West Wyalong Solar Farm dated 24 January 2019, the amended development application letter dated 12 September 2019, the Response to Submissions dated 1 October 2019 and the additional information provided by the Applicant to the Department dated 18 May 2019 and 3 October 2019, as modified by: West Wyalong Solar Farm Modification Application – Modification Report dated 13 July 2021 and the additional information provided by the Applicant to the Department dated 25 August 2021.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
FRNSW	Fire and Rescue NSW
Heavy vehicle	A vehicle that has a combined Gross Vehicle Mass or Aggregate Trailer Mass of more than 4.5 tonnes
Heritage NSW	Heritage NSW division within the Department of Premier and Cabinet
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
Material harm	Is harm that: - involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or - results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	Minister for Planning and Public Spaces, or delegate
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
Operation	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
Over-dimensional vehicle	Over-mass and/or over-size/length vehicles
POEO Act	<i>Protection of the Environment Operations Act 1997</i>

CONSOLIDATED CONSENT

Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RFS	Rural Fire Service
Secretary	Secretary of the Department, or nominee
Site	As shown in Appendix 1 and listed in Appendix 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces
TfNSW	Transport for New South Wales
Upgrading	The augmentation and/or replacement of solar panels and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent
Vehicle movement	One vehicle entering and leaving the site

CONSOLIDATED CONSENT

SCHEDULE 2

ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

1. In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.

TERMS OF CONSENT

2. The Applicant must carry out the development:
 - (a) generally in accordance with the EIS; and
 - (b) in accordance with the conditions of this consent.

Note: The general layout of the development is shown in Appendix 1.

3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of:
 - (a) any strategies, plans or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

FINAL LAYOUT PLANS

5. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary [via the Major Projects website](#), including details on the siting of solar panels and ancillary infrastructure.

UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE

6. Over time, the Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Secretary incorporating the proposed upgrades.

WORK AS EXECUTED PLANS

7. Prior to commencing operations, or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development [showing comparison to the approved final layout plans](#) to the Department [via the Major Projects website](#).

NOTIFICATION OF DEPARTMENT

8. Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing [via the Major Projects Website](#) of the date of commencement, or cessation, of the relevant phase.

If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

STRUCTURAL ADEQUACY

9. The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the *Building Code of Australia*.

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

CONSOLIDATED CONSENT

DEMOLITION

10. The Applicant must ensure that all demolition work on site is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

11. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.

OPERATION OF PLANT AND EQUIPMENT

12. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

CONSOLIDATED CONSENT
SCHEDULE 3
ENVIRONMENTAL CONDITIONS – GENERAL

TRANSPORT

Over-Dimensional and Heavy Vehicle Restrictions

1. The Applicant must ensure that the:
 - (a) development does not generate more than:
 - 25 heavy vehicle movements a day during construction, upgrading and decommissioning;
 - 1 over-dimensional vehicle movements during construction, upgrading and decommissioning; and
 - 1 heavy vehicle movement a day during operations; on the public road network;
 - (b) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 26 metres, unless the Secretary agrees otherwise.
2. The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day for the duration of the project.

Access Routes

3. All heavy vehicles **up to a maximum of 19 metres in length** associated with the development must travel to and from the site via the:
 - (a) Newell Highway (northeast), Bodells Lane and Blands Lane; or
 - (b) West Wyalong Heavy Vehicle Bypass, the Newell Highway (southwest), Bodells Lane and Blands Lane;and the approved site access point on Blands Lane, as identified in the figure in Appendix 4.
- 3A. All heavy vehicles greater than 19 metres in length and over-dimensional vehicles associated with the development must travel to and from the site via the Newell Highway (northeast), Bodells Lane and Blands Lane and the approved site access point on Blands Lane, as identified in the figure in Appendix 4.

Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.

4. All light vehicles and shuttle buses associated with the development must travel to and from the site via the Newell Highway, Clear Ridge Road, Blands Lane and the approved site access point on Blands Lane, as identified in the figure in Appendix 4.

Road Upgrades and Site Access

5. Prior to commencing construction, the Applicant must:
 - (a) upgrade the intersection of the Newell Highway and Bodells Lane to cater for the largest vehicle accessing the site;
 - (b) seal Bodells Lane for a minimum of 50 m from its intersection with the Newell Highway, to a standard that allows two-way heavy vehicle movements;
 - (c) upgrade Blands Lane between Bodells Lane and Clear Ridge Road, including grading, **with an all-weather seal to be applied on Blands Lane between the site access point and Bodells Lane;**
 - (d) design the site access point off Blands Lane (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site.

These upgrades must comply with the *Austroads Guide to Road Design* (as amended by TfNSW supplements), and be carried out to the satisfaction of the relevant roads authority.

Operating Conditions

6. The Applicant must ensure:
 - (a) the internal roads are constructed as all-weather roads;
 - (b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
 - (c) the capacity of the existing roadside drainage network is not reduced;
 - (d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
 - (e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.

Traffic Management Plan

7. Prior to commencing the road upgrades required by condition 5 of Schedule 3 of this consent, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Secretary. This plan must include:
- (a) details of the transport route to be used for all development-related traffic;
 - (b) a protocol for undertaking independent dilapidation surveys to assess the:
 - existing condition of Bodells Lane and Blands Lane prior to construction, upgrading or decommissioning activities; and
 - condition of Bodells Lane and Blands Lane following construction, upgrading or decommissioning activities;
 - (c) a protocol for the repair of Bodells Lane and Blands Lane if dilapidation surveys identify these roads to be damaged during construction, upgrading or decommissioning works;
 - (d) details of the road upgrade works required by condition 5 of Schedule 3 of this consent;
 - (e) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - procedures for receiving and addressing complaints from the community about development-related traffic;
 - minimising potential for conflict with school buses and other motorists as far as practicable;
 - minimising dirt tracked onto the public road network from development-related traffic;
 - dust management along Bodells Lane and Blands Lane, including:
 - application of a dust suppressant; and
 - a 50 km per hour speed limit for development related heavy vehicles using Bodells Lane and Blands Lane;
 - details of the employee shuttle bus service and measures to ensure employee use of this service;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles;
 - (f) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes and speed limits; and
 - procedures to ensure that drivers implement safe driving practices;
 - (g) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan; and
 - (h) a flood response plan detailing procedures and options for safe access to and from the site in the event of flooding.

Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.

LANDSCAPING

Vegetation Buffer

8. The Applicant must establish and maintain a mature vegetation buffer and infill planting (landscape screening) at the locations outlined in the figure in Appendix 1 to the satisfaction of the Secretary. This vegetation buffer must:
- (a) be planted prior to commencing operations;
 - (b) be comprised of species that are endemic to the area;
 - (c) be established within 3 years of commencing operations; and
 - (d) be properly maintained with appropriate weed management, unless the Secretary agrees otherwise.

Landscaping Plan

9. Prior to commencing construction, the Applicant must prepare a detailed Landscaping Plan for the development to the satisfaction of the Secretary. This plan must include:
- (a) a description of measures that would be implemented to ensure that the vegetated buffers achieve the objectives of condition 8 (a) – (d) above;
 - (b) a program to monitor and report on the effectiveness of these measures; and
 - (c) details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for the completion of actions.

Following the Secretary's approval, the Applicant must implement the Landscaping Plan.

CONSOLIDATED CONSENT

LAND MANAGEMENT

10. The Applicant must maintain the agricultural land capability of the site, including:
- establishing the ground cover of the site within 3 months following any construction or upgrading;
 - properly maintaining the ground cover with appropriate perennial species and weed management; and
 - maintaining grazing within the development footprint, where practicable, unless the Secretary agrees otherwise.

BIODIVERSITY

Vegetation Clearance

11. The Applicant must minimise the clearing of native vegetation and fauna habitat located within the Myers Lane road reserve through detailed design of the transmission line.

Biodiversity Offsets

12. Within two years of commencing the development under this consent, the Applicant must retire biodiversity credits of a number and class specified in Table 1 below, to the satisfaction of BCS, unless the Secretary agrees otherwise.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offsets Scheme* and can be achieved by:

- acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
- making payments into an offset fund that has been developed by the NSW Government; or
- funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.

Table 1: Ecosystem Credit Requirements

Vegetation Community	PCT ID	Credits Required
Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	26	5
Belah woodland on alluvial plains and low rises in the central NSW wheatbelt to Pilliga and Liverpool Plains regions	55	41
Western Grey Box tall grassy woodland on alluvial loam and clay soils in the NSW South Western Slopes and Riverina Bioregions	76	2
Blue Mallee - Bull Mallee - Green Mallee very tall mallee shrubland of the West Wyalong region, NSW South Western Slopes Bioregion	177	13

Biodiversity Management Plan

13. Prior to commencing the development, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCS, and to the satisfaction of the Secretary. This plan must:
- include a description of the measures that would be implemented for:
 - managing the remnant vegetation and fauna habitat on site;
 - protecting vegetation and fauna habitat outside the approved disturbance areas;
 - minimising the clearing of native vegetation and fauna habitat within the Myers Lane road reserve;
 - minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;
 - minimising the impacts to fauna on site and implementing fauna management protocols;
 - avoiding the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependent fauna;
 - rehabilitating and revegetating temporary disturbance areas with species that are endemic to the area;
 - maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and
 - controlling weeds and feral pests;
 - include a fauna monitoring and management protocol, including identification and reporting of fauna mortalities to BCS; and
 - include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.

Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biodiversity Stewardship Agreement.

AMENITY

Construction, Upgrading and Decommissioning Hours

14. Unless the Secretary agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between:
- 7 am to 6 pm Monday to Friday;
 - 8 am to 1 pm Saturdays; and
 - at no time on Sundays and NSW public holidays.

The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:

- activities that are inaudible at non-associated receivers;
- the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or
- emergency work to avoid the loss of life, property and/or material harm to the environment.

Noise

15. The Applicant must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.

Dust

16. The Applicant must minimise the dust generated by the development.

Visual

17. The Applicant must:
- minimise the off-site visual impacts of the development, including the potential for any glare or reflection;
 - ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and
 - not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

Lighting

18. The Applicant must:
- minimise the off-site lighting impacts of the development; and
 - ensure that any external lighting associated with the development:
 - is installed as low intensity lighting (except where required for safety or emergency purposes);
 - does not shine above the horizontal; and
 - complies with *Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

HERITAGE

Protection of Heritage Items

19. The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 3 or located outside the approved development footprint.
- 19A.** Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Table 2 of Appendix 3, the Applicant must salvage and relocate the item/s that would be impacted and obtain a Care Agreement for the transfer and safekeeping of artefacts to the West Wyalong Local Aboriginal Land Council.

Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 3.

Heritage Management Plan

20. Prior to commencing construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - be prepared in consultation with *Heritage NSW* and Aboriginal Stakeholders;
 - include a description of the measures that would be implemented for:
 - protecting the Aboriginal heritage items identified in Table 1 of Appendix 3 or outside the approved development footprint, including fencing off the Aboriginal heritage items prior to commencing construction;

CONSOLIDATED CONSENT

- salvaging and relocating the Aboriginal heritage items located within the approved development footprint, as identified in Table 2 of Appendix 3;
 - a contingency plan and reporting procedure if:
 - previously unidentified heritage items are found; or
 - Aboriginal skeletal material is discovered;
 - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
 - ongoing consultation with Aboriginal stakeholders during the implementation of the plan;
- (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

Following the Secretary's approval, the Applicant must implement the Heritage Management Plan.

SOIL AND WATER

Water Supply

21. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.

Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.

Water Pollution

22. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.

Operating Conditions

23. The Applicant must:
- (a) ensure the solar panels and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on localised flooding and groundwater at the site;
 - (b) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) manual, or its latest version;
 - (c) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and
 - (d) ensure all works are undertaken in accordance with the following, unless DPIE Water agrees otherwise:
 - *Guidelines for Controlled Activities on Waterfront Land* (NRAR, 2018), or its latest version; and
 - *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*, or its latest version.

HAZARDS

Fire Safety Study

24. Prior to commencing construction of the battery storage facility, unless the Secretary agrees otherwise, the Applicant must prepare a Fire Safety Study of the development, to the satisfaction of FRNSW and the Secretary. The study must:
- (a) be consistent with the:
 - Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study'* guideline; and
 - NSW Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*; and
 - (b) describe the final design of the battery storage facility.
- Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.

Storage and Handling of Dangerous Goods

25. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.

In the event of an inconsistency between the requirements (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Operating Conditions

26. The Applicant must:

NSW Government

Planning, Industry and Environment

CONSOLIDATED CONSENT

- (a) minimise the fire risks of the development;
- (b) ensure that the development:
 - includes at least a 10 metre defensible space around the perimeter of the solar array area and battery storage areas that permits unobstructed vehicle access;
 - manages the defensible space and solar array areas as an Asset Protection Zone;
 - complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2006* (or equivalent) and *Standards for Asset Protection Zones*; and
 - is suitably equipped to respond to any fires on site including provision of a 45,000 litre water supply tank fitted with a 65mm Storz fitting and a FRNSW compatible suction connection located adjacent to the internal access road;
- (c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
- (d) notify the relevant local emergency management committee following construction of the development, and prior to commencing operations.

Emergency Plan

27. Prior to commissioning operations, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of FRNSW and the RFS. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:
- (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*;
 - (b) identify the fire risks and controls of the development; and
 - (c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site.

The Applicant must implement the Emergency Plan **for the duration of the development**.

WASTE

28. The Applicant must:
- (a) minimise the waste generated by the development;
 - (b) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - (c) store and handle all waste on site in accordance with its classification;
 - (d) not receive or dispose of any waste on site; and
 - (e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.

ACCOMMODATION AND EMPLOYMENT STRATEGY

29. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council, and to the satisfaction of the Secretary. This strategy must:
- (a) propose a strategy to ensure there is sufficient accommodation for the workforce associated with the development;
 - (b) consider the cumulative impacts associated with other State significant development projects in the area;
 - (c) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and
 - (d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including regular monitoring and review during construction.

Following the Secretary's approval, the Applicant must implement the Accommodation and Employment Strategy.

DECOMMISSIONING AND REHABILITATION

30. Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in [Table 2](#).

Table 2: Rehabilitation Objectives

Feature	Objective
Site	• Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use
Solar farm infrastructure	• To be decommissioned and removed, unless the Secretary agrees otherwise
Land use	• Restore land capability to pre-existing use (at least Class 3 Land Capability)
Community	• Ensure public safety

CONSOLIDATED CONSENT

SCHEDULE 4

ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to commencing the development, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise;
 - respond to any non-compliance;
 - respond to emergencies; and
 - (e) include:
 - references to any plans approved under the conditions of this consent; and
 - a clear plan depicting all the monitoring to be carried out in relation to the development.

Following the Secretary's approval, the Applicant must implement the Environmental Management Strategy.

Revision of Strategies, Plans and Programs

2. The Applicant must:
 - (a) update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the:
 - submission of an incident report under condition 4 of Schedule 4;
 - submission of an audit report under condition 6 of Schedule 4; or
 - any modification to the conditions of this consent.

Updating and Staging of Strategies, Plans or Programs

3. With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.

To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.
- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

COMPLIANCE

Incident Notification

4. The Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.

CONSOLIDATED CONSENT

Non-Compliance Notification

5. The Planning Secretary must be notified in writing via the Major Projects website portal within 7 days after the Applicant becomes aware of any non-compliance.
- 5A. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.
- 5B. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

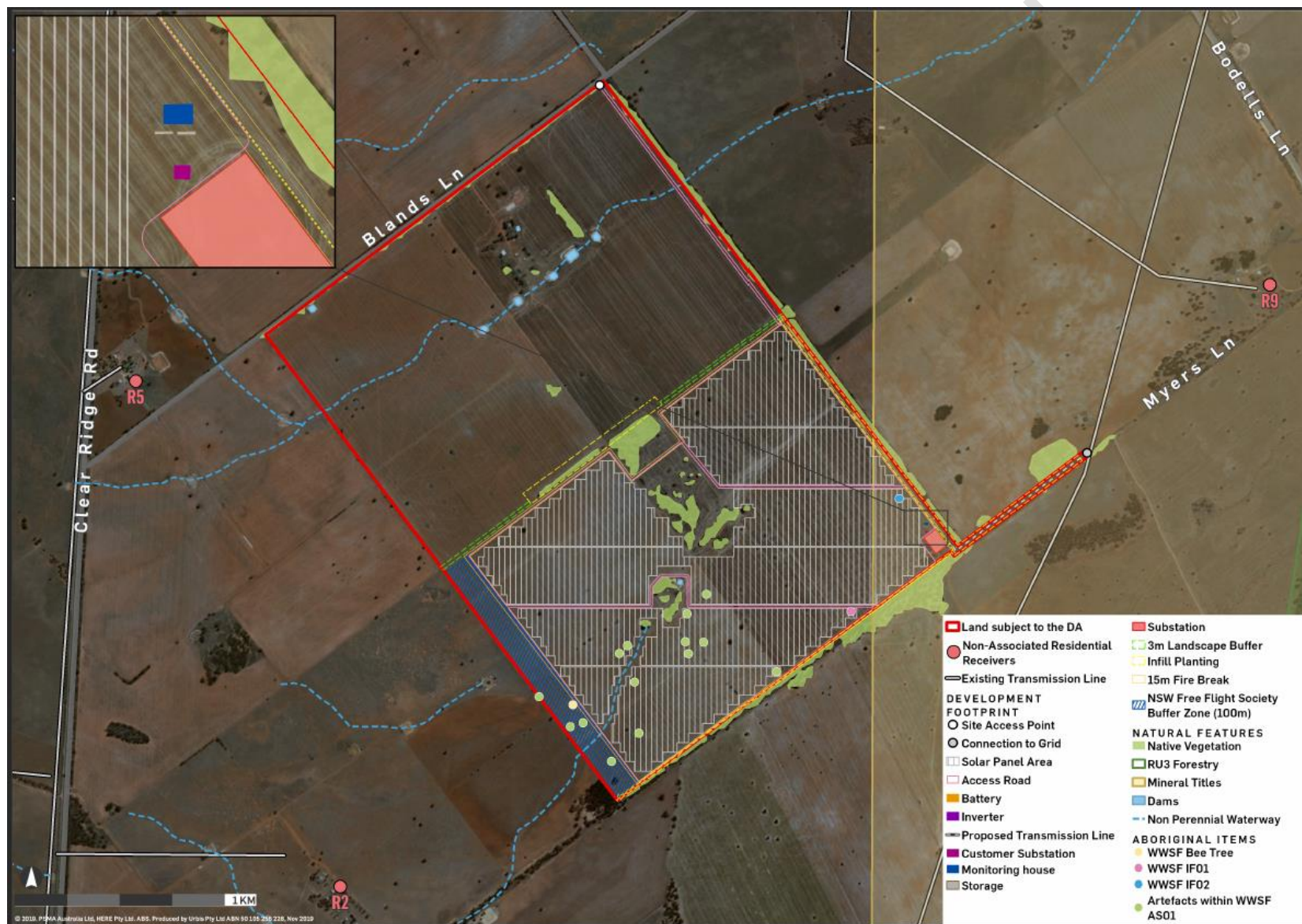
INDEPENDENT ENVIRONMENTAL AUDIT

6. Independent Audits of the development must be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (2020) to the following frequency:
 - (a) within 3 months of commencing construction; and
 - (b) within 3 months of commencement of operations.
- 6A. Proposed independent auditors be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- 6B. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition 6 of Schedule 4 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.
- 6C. In accordance with the specific requirements of the *Independent Audit Post Approval Requirements (2020)*, the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under condition 6 of Schedule 4 of the consent, or condition 6B of Schedule 4 where notice is given by the Planning Secretary;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary unless otherwise agreed by the Planning Secretary.
- 6D. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit and site inspection as outlined in the *Independent Audit Post Approvals Requirements (2020)* unless otherwise agreed by the Planning Secretary.
- 6E. Notwithstanding the requirements of the *Independent Audit Post Approval Requirements (2020)*, the Planning Secretary may approve a request or ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

ACCESS TO INFORMATION

7. The Applicant must:
 - (a) make the following information publicly available on its website as relevant to the stage of the development:
 - the EIS;
 - the final layout plans for the development;
 - current statutory approvals for the development;
 - approved strategies, plans or programs required under the conditions of this consent;
 - the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - how complaints about the development can be made;
 - a complaints register;
 - compliance reports;
 - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
 - (b) keep this information up to date.

APPENDIX 1 GENERAL LAYOUT OF DEVELOPMENT



**APPENDIX 2
SCHEDULE OF LANDS**

<i>Lot Number</i>	<i>Deposit Plan (DP)</i>
17	753081
18	

Note: The project site will also be taken to include any crown land and road reserves contained within the project site.

APPENDIX 3 ABORIGINAL HERITAGE ITEMS

Table 1: Aboriginal heritage items – avoid impacts

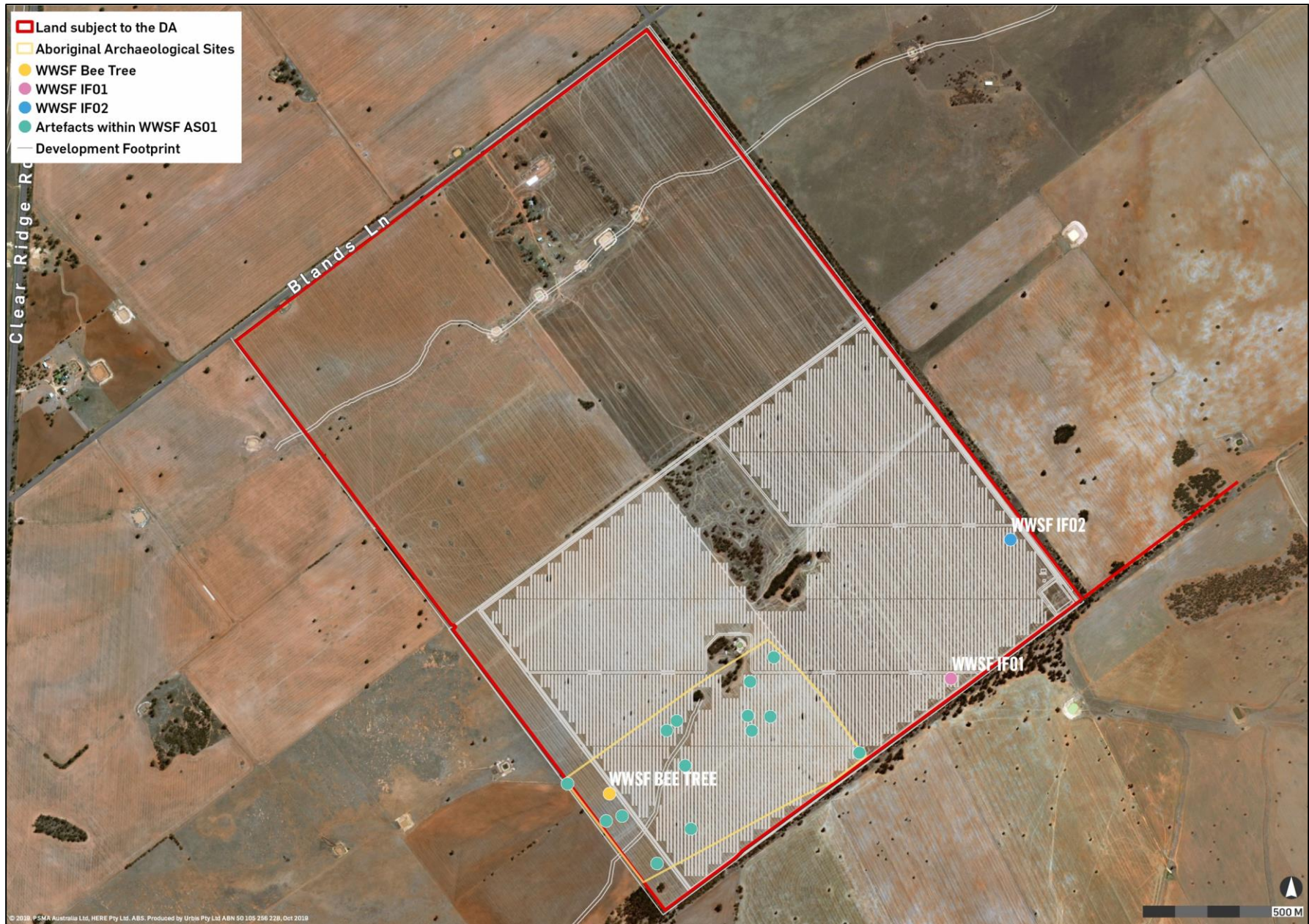
Item name	AHIMS number	Item type
WWSF Bee Tree	43-4-0058	Scarred tree
WWSF AS01	43-4-0057	Artefact Scatter*

**Only items located outside the development footprint are to be avoided (refer to the Figure in this Appendix to identify items)*

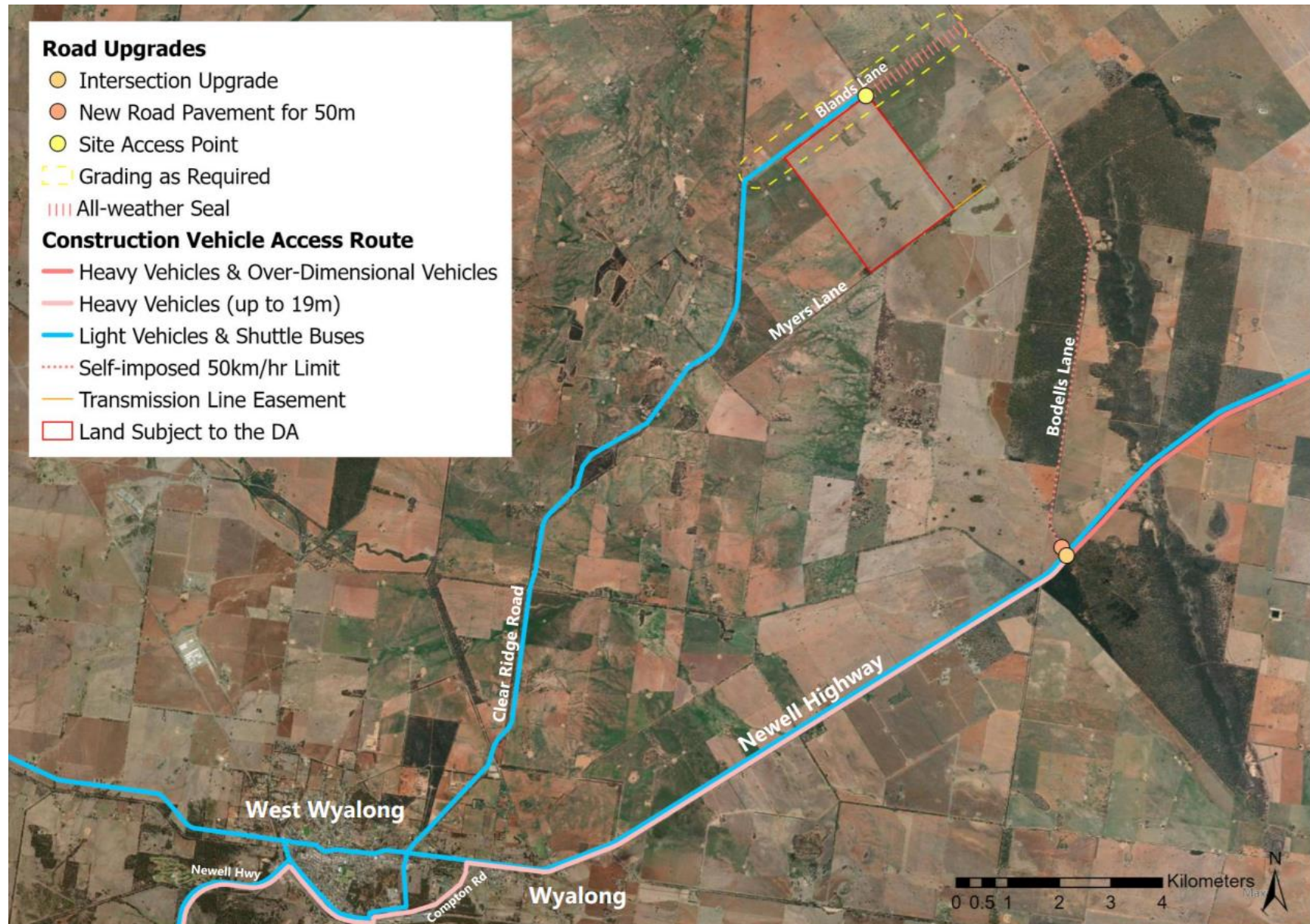
Table 2: Aboriginal heritage items – salvage

Item name	AHIMS number	Item type
WWSF AS01	43-4-0057	Artefact Scatter*
WWSF IF01	43- 4-0056	Isolated Artefact
WWSF IF02	43- 4-0071	Isolated Artefact

**Only items located within the development are to be salvaged (refer to the Figure in this Appendix to identify items)*



APPENDIX 4
ROAD UPGRADES AND SITE ACCESS



APPENDIX 5

INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 7 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident; e. identify any actual or potential non-compliance with conditions of consent;
 - (e) describe what immediate steps were taken in relation to the incident;
 - (f) identify further action(s) that will be taken in relation to the incident; and
 - (g) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.