

Development Consent

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

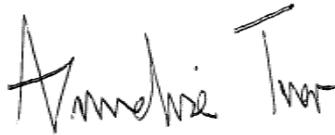
The Independent Planning Commission of NSW approves the development application referred to in schedule 1, subject to the conditions in schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.



Chris Wilson (Chair)
Member of the Commission



Annelise Tuor
Member of the Commission



Andrew Hutton
Member of the Commission

Sydney

25 July 2019

SCHEDULE 1

Application Number:	SSD 8882
Applicant	Orange Grove Sun Farm Pty Ltd
Consent Authority:	Minister for Planning
Land:	See Appendix 2
Development:	Orange Grove Solar Farm

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DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Applicant	Orange Grove Sun Farm Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage system
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	Gunnedah Shire Council
Decommissioning	The removal of solar panels and ancillary above and below ground infrastructure and rehabilitation
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
DoI – L&W	Department of Industry - Lands & Water Division
EIS	The environmental impact statement for Orange Grove Solar Farm dated May 2018, as modified by the amended development application and the response to submissions dated November 2018, and the additional information provided by the Applicant to the Department dated 11 December 2018, 24 January 2019 and 1 February 2019 and subdivision plan (see Appendix 5) and information provided by the Applicant to the Independent Planning Commission NSW dated 20 May 2019, 12 June 2019 and 14 June 2019 and the security fence design (see Appendix 6) and fencing location (see Appendix 7)
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
Heavy vehicle	A vehicle that has a combined Gross Vehicle Mass or Aggregate Trailer Mass of more than 4.5 tonnes
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: <ul style="list-style-type: none"> • 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, 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
OEH	Office of Environment and Heritage
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>
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
RMS	Roads and Maritime Services
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 and laydown areas
Upgrading	The augmentation and/or replacement of solar panels and ancillary infrastructure on site (excluding maintenance)
Vehicle movement	One vehicle entering and leaving the site

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, 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 to the Department.

NOTIFICATION OF DEPARTMENT

8. Prior to commencing the construction, operation, upgrading, cessation of operations or decommissioning of the development, the Applicant must notify the Department in writing 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.*

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.

SUBDIVISION

13. The Applicant may subdivide Lot 2 DP 945590 to create one new allotment, as identified in Appendix 5 and in accordance with the requirements of the EP&A Act and EP&A Regulation.

Notes:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision.*
- *Division 4 of Part 8 of the EP&A Regulation sets out the application requirements for subdivision certificates*

SCHEDULE 3 ENVIRONMENTAL CONDITIONS – GENERAL

BATTERIES

Battery Storage Restriction

1. Battery storage is not permitted on the site.

Note: Nothing in this condition prevents the Applicant from seeking to modify the consent to permit battery storage in the future.

TRANSPORT

Over-Dimensional and Heavy Vehicle Restrictions

2. The Applicant must ensure that the:
 - (a) development does not generate more than:
 - 56 heavy vehicle movements a day during construction, upgrading or decommissioning;
 - 4 over-dimensional vehicle movements during construction, upgrading or decommissioning; and
 - 4 heavy vehicle movements 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.
3. The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day.

Designated Over-Dimensional and Heavy Vehicle Access Route

4. All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Kamilaroi Highway, Oxley Highway, Blue Vale Road, Old Blue Vale Road, Kelvin Road, Orange Grove Road and use the new site access points on Orange Grove Road, as identified in the figure in Appendix 3.

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.

Road Upgrades and Site Access

5. Prior to commencing construction, the Applicant must:
 - (a) upgrade Old Blue Vale Road a minimum of 100 m from its intersection with both Kelvin Road and Blue Vale Road to a standard that allows two-way heavy vehicle movements;
 - (b) remove loose gravel material at the Old Blue Vale Road and Kelvin Road intersection; and
 - (c) construct two site access points off Orange Grove Road (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 *Austrroads Guide to Road Design* (as amended by RMS supplements), and be carried out to the satisfaction of the relevant roads authority.

Cost Sharing – Road Upgrades

6. If the applicant of the Gunnedah Solar Farm (SSD 8658) pays for the road upgrades required in condition 5(a) of schedule 3 of this consent, and the Applicant proceeds with the construction of this development, then the Applicant must pay the Applicant of the Gunnedah Solar Farm half of the cost of the relevant road upgrades.

If there is a dispute about the payment of these costs, then either party may refer the matter to the Secretary for resolution. The Secretary's decision on the matter must be final and binding on both parties.

Road Maintenance

7. The Applicant must:
 - (a) undertake a dilapidation survey of the condition of the heavy vehicle transport route along Blue Vale Road, Old Blue Vale Road, Kelvin Road and Orange Grove Road in accordance with any relevant Austrroads standards or guidelines:
 - prior to the commencement of construction, upgrading and/or decommissioning works;
 - within 1 month of the completion of construction, upgrading and/or decommissioning works;

- (b) rehabilitate or make good any damage to the road that could endanger road safety prior to the commencement of upgrading and/or decommissioning works; and
- (c) rehabilitate and/or make good any development-related damage to these roads:
 - identified during the carrying out of construction, upgrading and/or decommissioning works (if this damage could endanger road safety) as soon as possible after the damage is identified, but within 7 days at the latest; and
 - identified during any dilapidation survey carried out following the completion of construction, upgrading and/or decommissioning works within 2 months of the completion of the survey, unless the relevant road authority agrees otherwise,
 to the satisfaction of the relevant road authority.

If the construction, upgrading and/or decommissioning of the development is to be staged, the obligations in this condition apply to each stage of the construction, upgrading and/or decommissioning.

If there is a dispute about the scope of any remedial works or the implementation of these works, then either party may refer the matter to the Secretary for resolution.

Operating Conditions

8. 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

9. Prior to commencing construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and Council, and to the satisfaction of the Secretary. This plan must include:
- (a) details of the transport route/s to be used for all development-related traffic, including the location of access points;
 - (b) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - the movement of vehicles on the local road network;
 - dust management along the unsealed section of Orange Grove Road;
 - 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;
 - 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;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles;
 - (c) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport route/s; and
 - procedures to ensure that drivers implement safe driving practices.
 - (d) 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
 - (e) 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

10. The Applicant must establish and maintain a vegetation buffer (landscape screening) at the site to the satisfaction of the Secretary. This vegetation buffer must:
 - (a) be planted within 12 months of the commencement of construction;
 - (b) be properly maintained with appropriate weed management;
 - (c) at the locations outlined in the figure in Appendix 1:
 - consist of mature species that facilitate the best possible outcome in terms of screening the view of the solar panels and ancillary infrastructure on site from residence R1; and
 - be effective at screening views from Residence R1 within 3 years of commencing construction; and
 - (d) along the boundaries of Lot 2 DP 945590 adjacent to Orange Grove Road, be effective at providing intermittent screening of views of the solar panels and ancillary infrastructure from Orange Grove Road within 3 years of commencing construction.

Landscaping Plan

11. 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 prepared in consultation with the landowner of R1 that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 10 (c) above;
 - (b) a description of measures that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 10 (a), (b) and (d) above;
 - (c) a program to monitor and report on the effectiveness of these measures, including if additional locations for further landscaping are required; and
 - (d) 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.

LAND MANAGEMENT

12. Following any construction or upgrading on the site, the Applicant must:
 - (a) restore the ground cover of the site as soon as practicable;
 - (b) maintain the ground cover with appropriate perennial species; and
 - (c) manage weeds within this ground cover.

AMENITY

Construction, Upgrading and Decommissioning Hours

13. The Applicant may only undertake construction, upgrading or decommissioning activities on site between:
 - (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays.unless the Secretary agrees otherwise.

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

- 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

14. 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

15. The Applicant must ensure all operations and activities occurring at the premises are carried out in a manner that minimises dust including the emission of wind-blown or traffic-generated dust.

Visual

16. 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

17. 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 Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting* and the *Dark Sky Planning Guideline* (DPE 2018), or their latest versions.

HERITAGE

Protection of Heritage Items

18. The Applicant must ensure that the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 4.

Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 4.

Discovery of Human Remains

19. If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and OEHL as soon as possible following the discovery, and work must not recommence in the area until this is authorised by OEHL.

Chance Finds Protocol

20. Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal stakeholders, and to the satisfaction of OEHL.

Following OEHL's approval, the Applicant must implement the Chance Finds Protocol.

SOIL & 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:
- 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;
 - 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 (including watercourse crossings) are undertaken in accordance with the:
 - *Guidelines for Controlled Activities on Waterfront Land* (2018), or its latest version; and
 - *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004), or its latest version,
 unless otherwise agreed by DoI – L&W.

HAZARDS

Storage and Handling of Dangerous Goods

24. The Applicant must:
- (a) store and handle all dangerous or hazardous materials on site in accordance with *Australian Standard AS1940-2004: The storage and handling of flammable and combustible liquids*, or its latest version;
 - (b) ensure the substation is suitably bunded; and
 - (c) minimise any spills of dangerous goods and hazardous materials, and clean up any spills as soon as possible after they occur.

Operating Conditions

25. The Applicant must:
- (a) minimise the fire risks of the development;
 - (b) ensure that:
 - there is a defensible space of at least 10 metres around the perimeter of the solar array area that permits unobstructed vehicle access;
 - the defensible space and solar array areas is managed as an Asset Protection Zone;
 - the development complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2006* (or equivalent) and *Standards for Asset Protection Zones*;
 - the Asset Protection Zone for the development is wholly contained within the development footprint;
 - the development is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65mm Storz fitting 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.

Fire Management and Emergency Response Plan

26. Prior to commencing operations, the Applicant must prepare a Fire Management and Emergency Response Plan for the development in consultation with the RFS and Fire & Rescue NSW. This plan must identify the fire risks and controls of the development, and the procedures that would be implemented if there is a fire on site or in the vicinity of the site. Two copies of the plan must be kept on site in a prominent position adjacent to the site entry point at all times.

WASTE

27. The Applicant must:
- (a) minimise the waste generated by the development in accordance with the EPA's waste hierarchy objectives of avoidance, resource recovery and disposal;
 - (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.

DECOMMISSIONING AND REHABILITATION

28. Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must decommission the development and 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	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • To be decommissioned and removed, unless the Secretary agrees otherwise
Land use	<ul style="list-style-type: none"> • Restore land capability to pre-existing use
Community	<ul style="list-style-type: none"> • Ensure public safety at all times

29. Within 3 years of commencement of operations, the Applicant must prepare a Decommissioning & Rehabilitation Plan for the development which shall be reviewed by the Applicant 2 years prior to the cessation of operations, to the satisfaction of the Secretary. This plan must:

- (a) include detailed completion criteria for evaluating compliance with the rehabilitation objectives in Table 2 above;
- (b) describe the measures that would be implemented to:
 - decommission the development and rehabilitate the site in accordance with the objectives in Table 2 above and the associated completion criteria;
 - minimise the waste generated by the decommissioning of the development in accordance with the obligations in condition 28 above; and
- (c) include a program to monitor and report on the implementation of these measures against the detailed completion criteria.

The Applicant must decommission and rehabilitate the site in accordance with the approved Decommissioning & Rehabilitation Plan.

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to commencing construction, 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 7 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 Department must be notified in writing to compliance@planning.nsw.gov.au 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.

Non-Compliance Notification

5. The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The 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.

Compliance Reporting

6. Prior to commencing the construction, upgrading and decommissioning of the development, the Applicant must submit a compliance report to the Department in accordance with the relevant *Compliance Reporting Post Approval Requirements* (DPE 2018), or its latest version.

INDEPENDENT ENVIRONMENTAL AUDIT

7. Within 6 months of commencing construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:
 - (a) be prepared in accordance with the relevant *Independent Audit Post Approval* requirements (DPE 2018);
 - (b) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (c) be carried out in consultation with the relevant agencies;
 - (d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
 - (e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

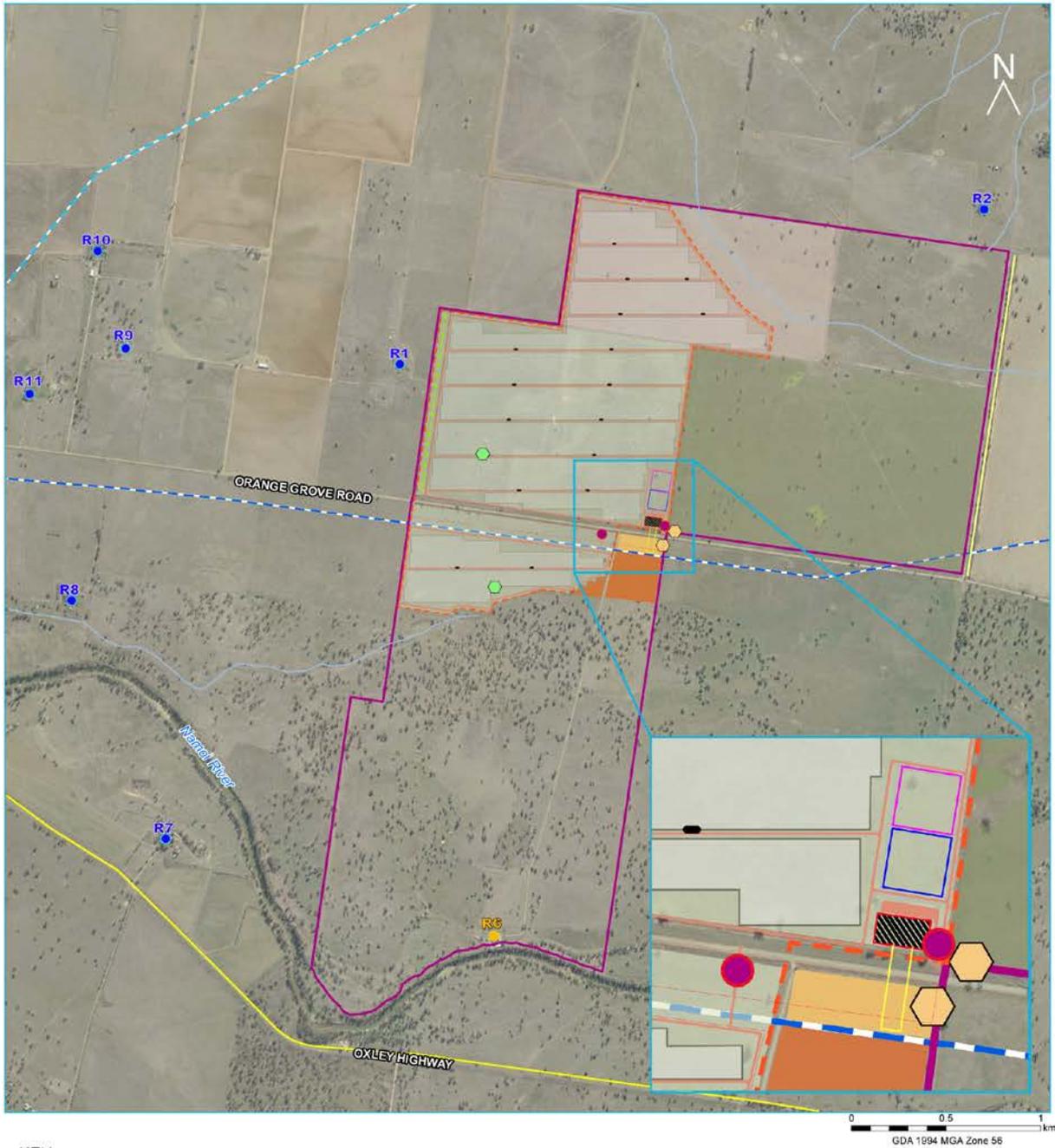
Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.

The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.

ACCESS TO INFORMATION

8. 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



KEY

- Orange Grove Sun Farm site boundary
- Development footprint
- Indicative site access point
- 132 kV transmission line
- 56 kV transmission line
- Main road
- Area of proposed landscaping (not to scale)
- Watercourse / drainage line
- Project infrastructure**
- Solar panel layout
- Internal road
- Management hub
- On-site switchyard and transformation area
- Inverter
- Temporary laydown and potential future Battery Storage
- Transmission corridor

- Crown land
- Area to be subdivided
- Receptors**
- Non project-related receptors
- Project-related receptor
- Aboriginal heritage site**
- Isolated find
- Tree with scar
- Cropped/disturbed land
- Plant community type**
- PCT101 - Poplar Box - Yellow Box - Western Grey Box grassy woodland on cracking clay soils mainly in the Liverpool Plains, Brigalow Belt South Bioregion - Low (grazed)
- PCT101 - Poplar Box - Yellow Box - Western Grey Box grassy woodland on cracking clay soils mainly in the Liverpool Plains, Brigalow Belt South Bioregion - Moderate/good (derived grassland)

- PCT101 - Poplar Box - Yellow Box - Western Grey Box grassy woodland on cracking clay soils mainly in the Liverpool Plains, Brigalow Belt South Bioregion - Moderate/good (poor)
- PCT281 - Rough-Barked Apple - red gum - Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion - Low (grazed) (an EEC listed under the BC Act)
- PCT281 - Rough-Barked Apple - red gum - Yellow Box woodland on alluvial clay to loam soils on valley flats in the northern NSW South Western Slopes Bioregion and Brigalow Belt South Bioregion - Moderate/good (an EEC listed under the BC Act)

Infrastructure layout
and site features

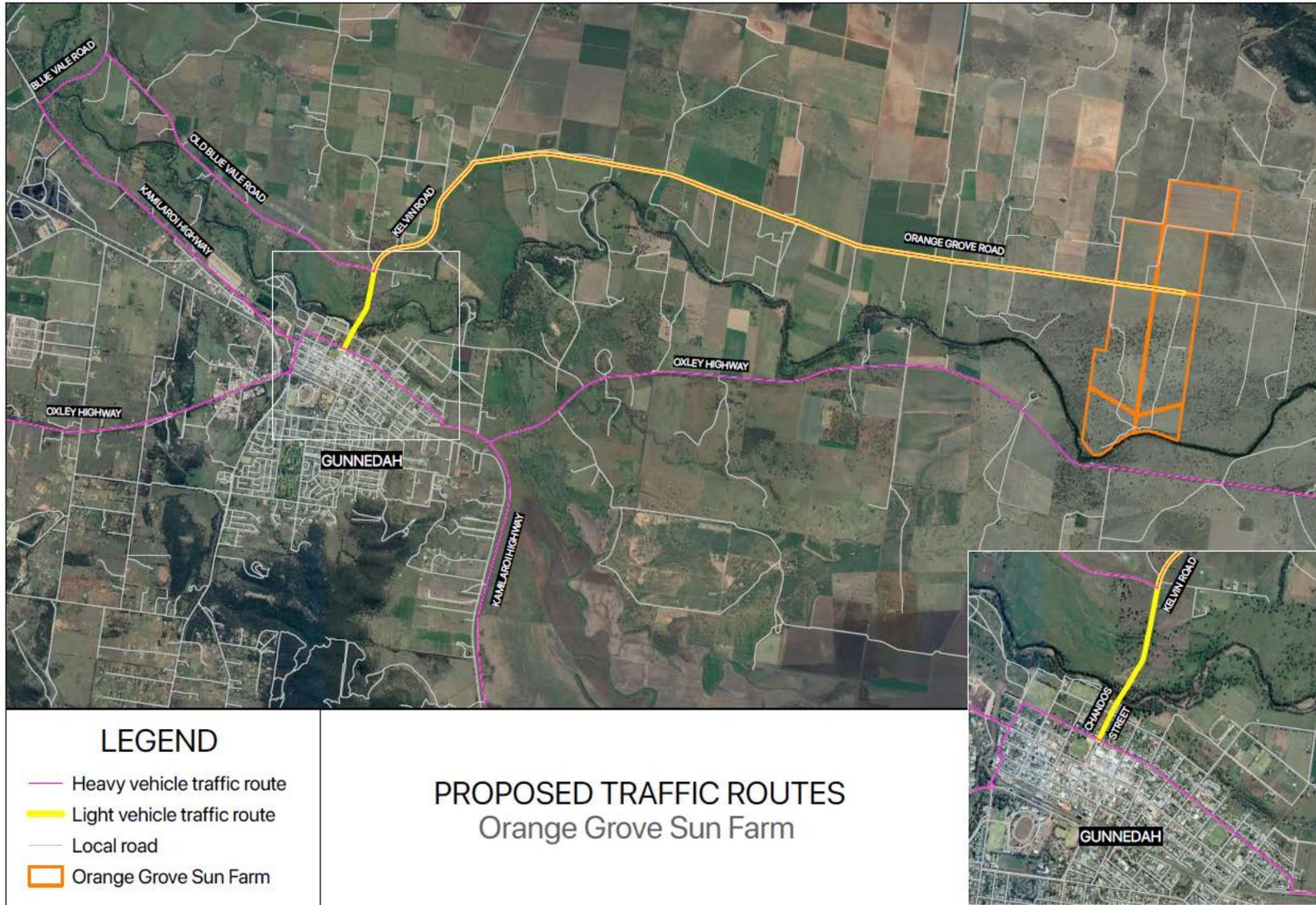
Orange Grove Sun Farm

**APPENDIX 2:
SCHEDULE OF LANDS**

Lot Number	Deposit Plan (DP)
1	945590
2	945590
27	754928
30	754928
1	1068520
2	1068520
3	1068518
1	126183
2	126183
3	126183

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

**APPENDIX 3
OVER-DIMENSIONAL AND HEAVY VEHICLE ACCESS ROUTE RESTRICTIONS**



APPENDIX 4: ABORIGINAL HERITAGE ITEMS

Table 1: Aboriginal heritage items – avoid impacts

Item name	AHIMS number	Item type
OG_PST1	20-4-0817	Potentially a scarred tree
OG_PST2	20-4-0820	Potentially a scarred tree



Source: EMM (2018); DFSI (2017); LPI (2015)

KEY

Development footprint

Study area

Local road

Watercourse / drainage line

Waterbody

Aboriginal heritage sites - level of impact

Total disturbance

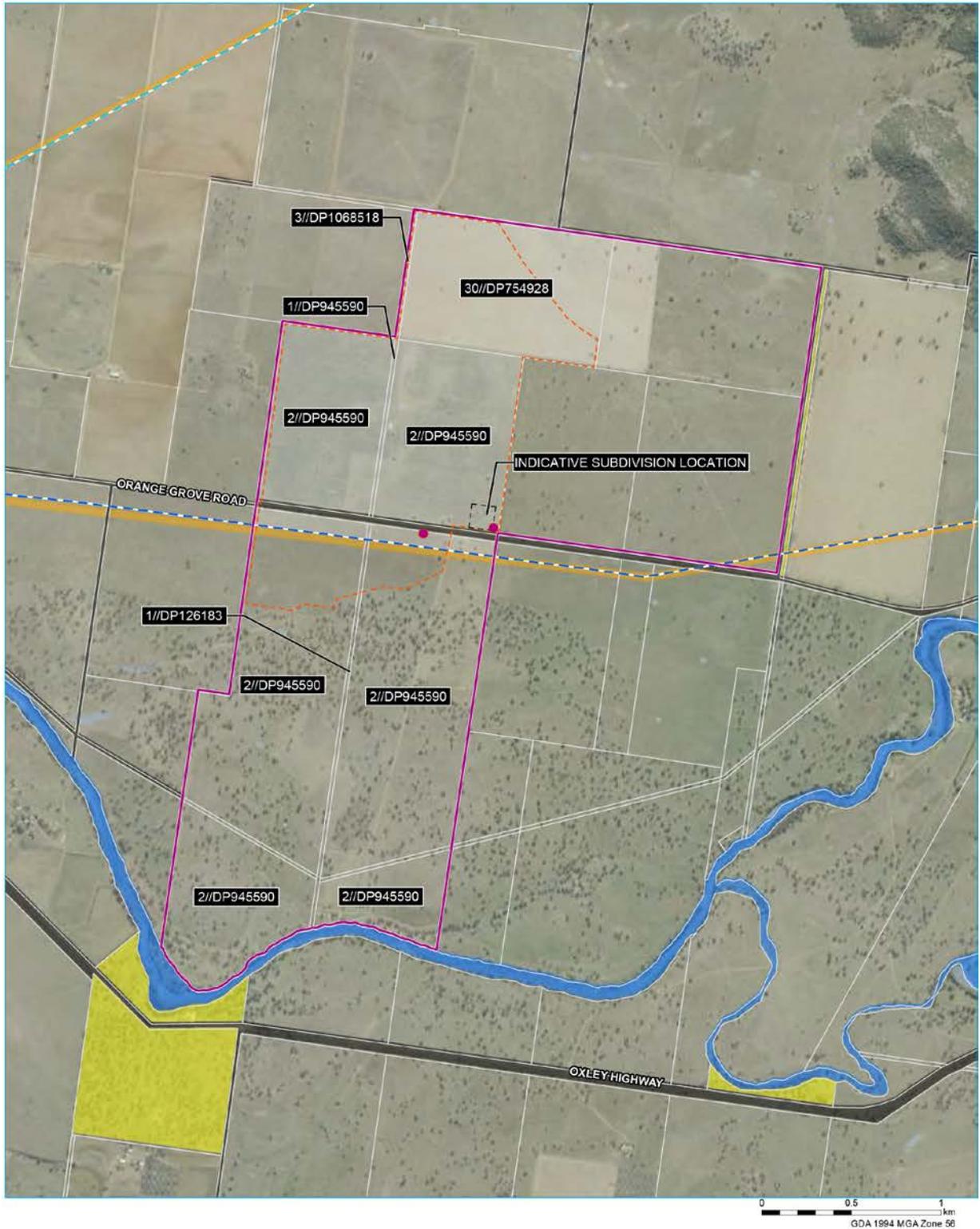
None

Location of Aboriginal heritage sites

Orange Grove Sun Farm
Environmental impact statement
Figure 6.2



APPENDIX 5: SUBDIVISION PLAN

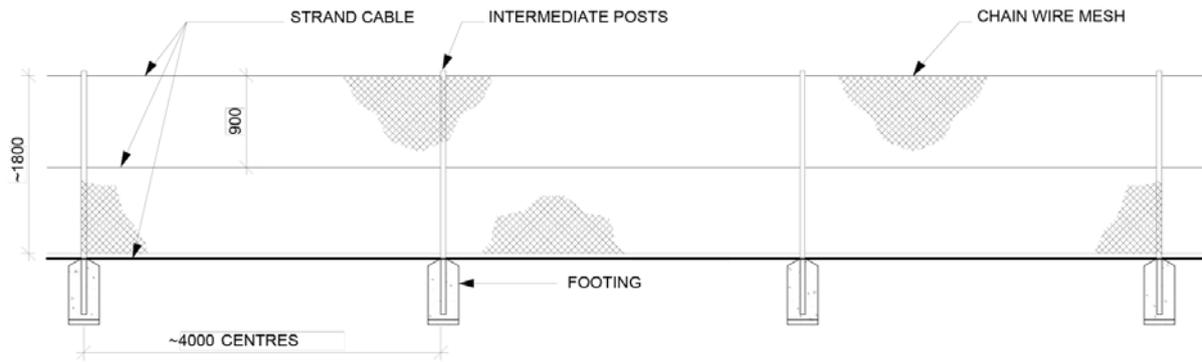


KEY

- | | |
|-------------------------------------|------------------------------------|
| Orange Grove Sun Farm site boundary | Cadastral boundary |
| Development footprint | Crown land |
| Indicative Subdivision Location | Water feature corridor |
| Indicative site access point | Easement |
| 132 kV transmission line | Road corridor (public road in use) |
| 66 kV transmission line | |
| Waterbody | |

Subdivision Plan
Orange Grove Sun Farm

APPENDIX 6: PERIMETER SECURITY FENCE DESIGN



**APPENDIX 7:
SECURITY FENCE LOCATION AND SETBACK**

