



# Environmental Management Strategy

SUNTOP SOLAR FARM



## Document Verification

Project Title: Suntop Solar Farm

Project Contractor: Bouygues Construction Australia

Project Number: TBA

Project File Name: TBA

Revision	Date	Prepared by (name)	Reviewed by (name)	Approved by (name)
First Draft	12/02/2020	G. Smith	A. Imtiaz	P. Verman
Second Draft	11/03/2020	G.Smith	A. Imtiaz	

## Document Control

The latest version of this strategy will be available on the electronic document management system for the Project for relevant Project personnel. This document would also be available on the Project Website. Distribution will be to those detailed in the distribution listing below. This distribution will be electronic, via M-Files.

Copy Number	Issued To	Date	Name

# CONTENTS

CONTENTS.....	ii
1 INTRODUCTION.....	1
1.1 PURPOSE AND OBJECTIVES .....	1
1.2 THE PROPOSAL .....	2
1.3 ENVIRONMENTAL MANAGEMENT STRATEGIC FRAMEWORK .....	4
1.4 ENVIRONMENTAL POLICY.....	4
1.5 CONTINUAL IMPROVEMENT .....	4
2 PLANNING.....	5
2.1 LEGISLATIVE AND OTHER ENVIRONMENTAL MANAGEMENT REQUIREMENTS .....	5
2.2 ENVIRONMENTAL OBJECTIVES AND TARGETS.....	5
2.3 CONDITIONS OF CONSENT .....	6
3 RISK MANAGEMENT.....	8
3.1 IDENTIFICATION OF ENVIRONMENTAL HAZARDS AND RISKS .....	8
4 IMPLEMENTATION AND OPERATION.....	9
4.1 STRUCTURE AND RESPONSIBILITY.....	9
4.1.1 Bouygues Construction Australia Organisational Chart.....	10
4.1.2 Environmental Management Team .....	10
4.2 ENVIRONMENTAL PLANS.....	11
4.3 TRAINING, AWARENESS AND COMPETENCE.....	13
4.3.1 Environmental induction.....	13
4.3.2 Toolbox talks, training and awareness .....	13
4.3.3 Environmental Awareness Training .....	14
4.4 COMMUNICATION .....	14
4.4.1 Internal communication .....	14
4.4.2 Government Authority Communication .....	15
4.4.3 Stakeholder and community engagement.....	16
4.4.4 Complaints procedure.....	16
4.4.5 Dispute Resolution .....	18
4.5 ENVIRONMENTAL SITE INSPECTIONS AND IMPACT VERIFICATION .....	18
4.6 DOCUMENTATION AND DOCUMENT CONTROL .....	18
4.6.1 Document control .....	19
4.7 EMERGENCY PREPAREDNESS AND RESPONSE (INCIDENT REPORTING) .....	19
4.7.1 Incident Reporting.....	19
4.7.2 DPE Notifiable Incidents.....	21
4.7.3 Non-Compliance Notification .....	21
4.7.4 EPA Notifiable Incidents.....	21
5 MEASUREMENT AND EVALUATION .....	23
5.1 SYSTEM AUDITING AND MAINTENANCE.....	23
5.1.1 Internal Auditing.....	23
5.1.2 External Auditing.....	23
5.2 ENVIRONMENTAL MONITORING AND REPORTING .....	24
5.3 CORRECTIVE AND PREVENTATIVE ACTION.....	24
6 MANAGEMENT REVIEW.....	38
APPENDIX A ENVIRONMENTAL POLICY.....	39
APPENDIX B ENVIRONMENTAL LEGISLATION .....	40
APPENDIX C EMS CONSULTATION SUMMARY.....	49

## TABLES

Table 2-1 Environmental objectives and targets .....	5
Table 2-2 Condition 1 of Schedule 4 of the CoC, and where it is addressed in the EMS .....	7
Table 4-1 Construction team roles and responsibilities.....	10
Table 4-2 Construction sub-plans and approval requirements.....	11
Table 5-1 Monitoring and reporting as required under the CoC and SoC in relation to the Project .....	25

## Image

Image 1 General Layout of Development .....	3
---	---

## Figure

Figure 1 Approved Layout .....	2
Figure 4.1 BYCA Organisational Chart.....	10

## ACRONYMS AND ABBREVIATIONS

Applicant	Suntop Solar Farm PTY Ltd
BYCA	Bouygues Construction Australia
CoC	Conditions of Consent
CEMP	Construction Environmental Management Plan
CHMP	Cultural Heritage Management Plan
DC	Development Consent
DP&E	(NSW) Department of Planning and Environment
EEC	Endangered ecological community
EMS	Environmental Management Strategy
EIS	Environmental Impact Statement
EPA	Environment Protection Authority (Previously DECCW and/or OEH) EPBC Act
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Cwth)
ERSED	Erosion and Sediment
EWMS	Environmental Work Methods Statement
ESCP	Erosion and Sediment Control
FM Act	Fisheries Management Act 1994 (NSW)
QSE	Quality Safety and Environment
NSW	New South Wales
MNES	Matter of National Environmental Significance
MP	Management Plan
PIE	Planning Industry and Environment
SoC	Statement of Commitment
The Proponent	Canadian Solar
The Project	Suntop Solar Farm
TMP	Traffic Management Plan

# 1 INTRODUCTION

## 1.1 PURPOSE AND OBJECTIVES

Planning approval was received on 04 December 2018 for the construction and operation of a 189 megawatt (MW AC) photovoltaic (pv) solar farm. The Suntop Solar Farm ('the Project') is a State Significant Development and represents an important contribution to renewable energy generation in New South Wales. Bouygues Construction Australia ('BYCA') is the Principal Contractor to deliver the Project to Canadian Solar (the client). BYCA will be responsible for Engineering, Procurement and Construction (EPC) for the project. Suntop TransGrid substation is out of the scope of the EPC contractor and is managed directly by Canadian Solar.

This Project is located at 909 Suntop Road approximately 15 minutes from Wellington, in central NSW (4,000 people) and 45 min from Dubbo (40,000 people). The site is 513 ha (development footprint of 472ha), is undulating, with some patches of vegetation to be removed and other areas of protected vegetation identified. The site was previously cropped.

This Environmental Management Strategy (EMS) has been prepared to comply with the Conditions of Consent (CoC) from the New South Wales Minister for Planning and all applicable legislation, during the construction of the Project.

The EMS has been prepared using the Guideline for the Preparation of Environmental Management Plans (DIRNP, 2004), the Draft Post Approval Guideline for Environmental Management Plans (DPE 2018) and AS/NZS ISO 14001 as a guide in its preparation. This EMS has been prepared only for the construction component of the Project and will be updated to incorporate the operational aspects of the proposal following construction.

The purpose of this EMS is to provide a framework for the management of environmental issues during construction of the Project. Implementing this EMS will ensure that the Project team meets the Project CoC, regulatory and policy requirements in a systematic manner and continually improves its performance.

In particular, this EMS:

- Provides the strategic framework for environmental management of the Project.
- Provides general mechanisms for compliance with applicable policies, approvals, licences, permits, consultation agreements and legislation.
- Describes the environmental management related roles and responsibilities of all key personnel involved.
- Sets objectives and targets for issues that are important to the environmental performance of the Project.
- Outlines a monitoring regime to check the adequacy of controls as they are implemented during construction.

This EMS is the overarching document in the environmental management system for the Project that includes a number of management documents. These are described in Section 4.2. The EMS is applicable to all staff and sub-contractors associated with the construction of the Project.

## 1.2 THE PROPOSAL

The EPC Scope of Works under the contract includes all works necessary to design, construct, test, energise, commission, and train staff in the operation of a 189 MW AC solar farm including inverter stations.

An upgrade of Suntop Road / Renshaw McGirr Way intersection is required 5km west of the site.

The site is fenced on the perimeter and also internally on different lots, with fencing to be removed. There is a significantly eroded creek running diagonally through the site from West to East. The site has challenging topographic features with various slopes and presence of rock evident at surface. There are 3 key stages to the construction of the solar farms as follows: civil works and Mechanical, Electrical works, Testing & Commissioning.

The Scope of Works consists of but is not limited to:

- Approximately 439,992 solar panels (up to 3.0 metres (m) in height) and approximately 110 inverter stations (up to 3.0 m in height), with approximately 62,856 piles and 5,238 modules.
- Underground 33kV and 132 kV transmission cables connecting the to the Transgrid substation.
- Internal access tracks, staff amenities, car parking, laydown area and security fencing.
- The substation expansion includes underground transmission cables and an additional substation bench (located on the western edge of the existing substation).

During construction, the Site will be accessed off Suntop Road. Key road works for the Project will involve upgrading the intersection of Suntop Road and Renshaw McGirr Way intersection 5km west of the site.

The construction period of the solar farm will last for up to 12 months from the commencement of Site establishment works and include a peak period of 6 months. Construction hours will be limited to Monday to Friday 7 am to 6 pm, and Saturday 8 am to 1pm.

The estimated Capital Investment Value of the Project is \$230 million.

The approved layout is shown in Figure 1.

The land to which the Project applies is:

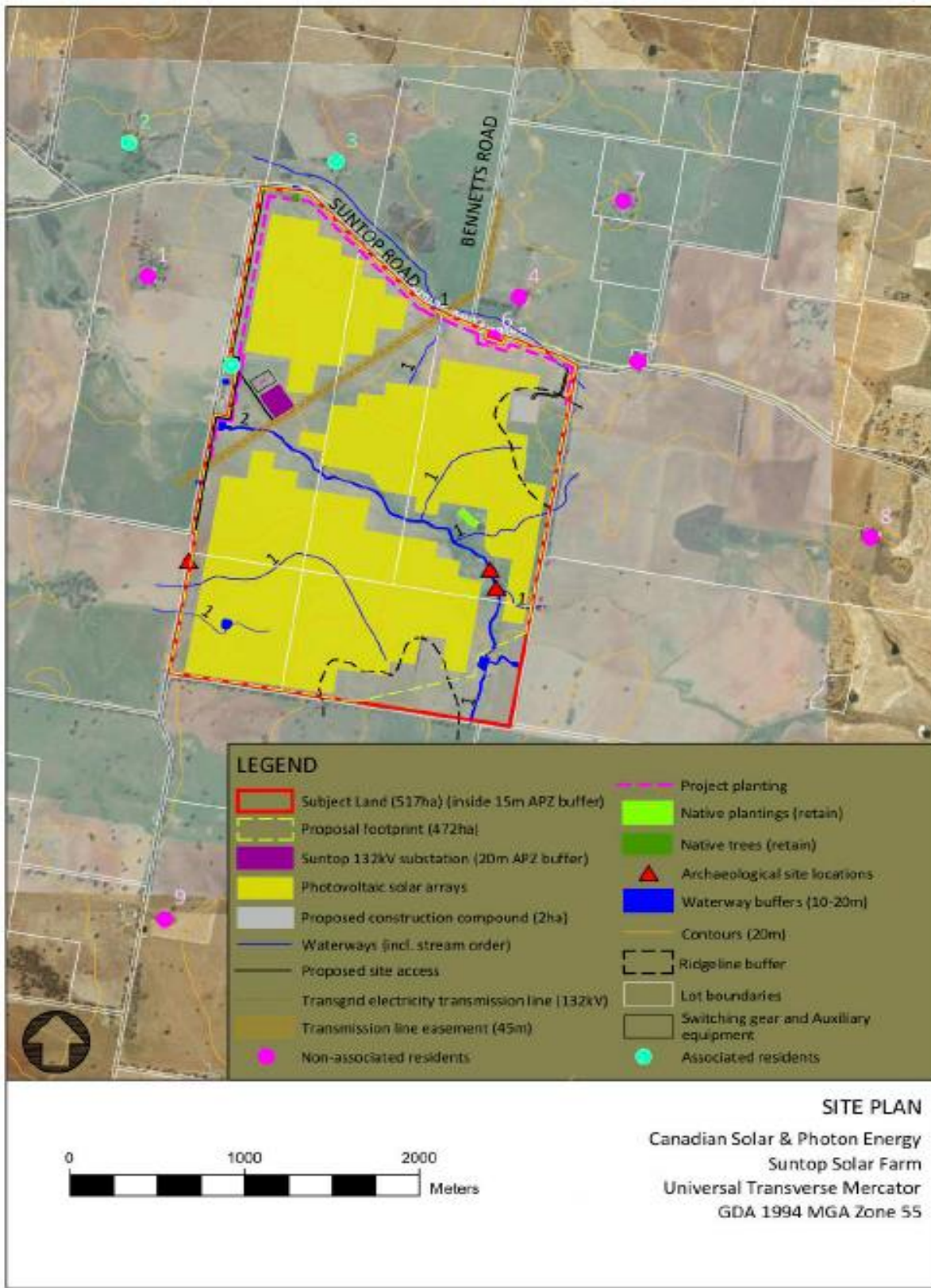
Figure 1

Lot Number	Deposited Plan
1	506925
2	506925
3	506925
122	753238
90	657805

(As per Appendix 2 Schedule of Land)



Image 1 General Layout of Development



Approved Layout (as per Appendix 1 of the Development Consent)



### 1.3 ENVIRONMENTAL MANAGEMENT STRATEGIC FRAMEWORK

This EMS is the overarching environmental management document for the Suntop Solar Farm, relevant to BYCA's scope. It outlines the strategy for achieving compliance with the Minister's Development Consent. The figure below outlines the strategic framework and hierarchy of documentation for the environmental management of the development.

*\*Approval by DP&E required*



### 1.4 ENVIRONMENTAL POLICY

The environmental policy describes BYCA's commitment to manage its activities in such a way that reduces their environmental impact to a practical minimum.

The environmental policy is displayed at the site office and communicated to employees and other interested parties via inductions and ongoing awareness programs.

A copy of the environmental policy is provided in Appendix A.

### 1.5 CONTINUAL IMPROVEMENT

Management reviews are undertaken as part of the continual improvement process. The review process will be detailed in the Construction Environmental Management Plan (CEMP). Communication is also key

for continual improvement as discussed in Section 4.4.

## 2 PLANNING

### 2.1 LEGISLATIVE AND OTHER ENVIRONMENTAL MANAGEMENT REQUIREMENTS

A register of legal and other requirements for the Project is contained in Appendix A. This register is maintained as a checklist. This register will be reviewed at regular intervals e.g. during management reviews and updated with any applicable changes. Any changes made to the legal requirements register will be communicated to the wider team where necessary through toolbox talks, specific training and other methods detailed in Section 4.3.

### 2.2 ENVIRONMENTAL OBJECTIVES AND TARGETS

As a means of assessing environmental performance during construction of the Project, environmental objectives and targets have been established. These objectives and targets have been developed with consideration of key issues identified through the environmental assessment and risk assessment process. The objectives and targets are consistent with BYCA's Environmental Policy and will assist in monitoring whether the commitments of the policy are being met.

The targets are incorporated into relevant environmental management plans.

The performance of the Project against the objectives and targets will be documented in the Project construction compliance reports and at least on a monthly basis as part of the management review.

Environmental objectives and targets for the Project are provided in Table 2-1 below.

**Table 2-1 Environmental objectives and targets**

Objective	Target	Measurement Tool
Construction of the Project in accordance with environmental approvals and relevant licences.	Compliance with statutory approvals	Audits, construction compliance reporting, management review
Construction of the Project in accordance with approved environmental management plans	Compliance with EMS and Project management plans Compliance with relevant environmental procedures	Audits, construction compliance reporting, management review
Compliance with all legal requirements	No regulatory infringements (PINs or prosecutions) No formal regulatory warning	Audits, construction compliance reporting, management review
Implement rigorous and comprehensive EMS that meets the requirements of AS/NZS ISO 14001	Address non-conformances and corrective actions within specific timeframes	Audits, management review
Engage with the affected and broader community, minimise complaints and respond to any complaints within a suitable timeframe	Disseminate regular Project updates and other information through the Project website and other tools identified by the Community Consultation Plan (CCP). Record and respond to complaints within the timeframe specified in the CCP	Review complaints register, construction compliance report, audits

Objective	Target	Measurement Tool
Continuously improve environmental performance	Develop and implement a program of ongoing environmental training Capture lessons learnt from environmental incidents to minimise repeat issues Encourage and reward innovation and effort throughout the workforce.	Construction compliance report, management review, audits

## 2.3 CONDITIONS OF CONSENT

Preparation of an EMS prior to the commencement of construction is a requirement of DC Condition 1 of Schedule 4.

*Prior to the commencement of construction, the applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary.*

*This strategy will:*

- (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:*
  - copies of 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*

Refer to table 2.2 below.

DPE issued consent for the Project on the 04 December 2018. Each of the requirements of Condition 1 of Schedule 4, and where they are addressed are detailed in Table 2-2 below.

**Table 2-2 Condition 1 of Schedule 4 of the CoC, and where it is addressed in the EMS.**

Condition	Relevant Section of EMS
(a) provide the strategic framework for environmental management of the development	Section 1.3, Environmental Management Strategic Framework
(b) Identify the statutory approvals that apply to the development	Appendix B, Environmental Legislation
(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development	Section 4.1, Structure and Responsibility
(d) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise;</li> <li>• respond to any non-compliance;</li> <li>• respond to emergencies;</li> </ul>	Section 4.4 Internal and external communication. Section 4.4.3 Stakeholder and community engagement Non-compliance issues – Section 5.1 System monitoring and maintenance Emergency response – Sections 4.7 and 5.3
(e) include <ul style="list-style-type: none"> <li>• copies of any plans approved under the development consent; and</li> <li>• 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.</li> </ul>	The EMS is the overarching document that includes framework for the management of environmental issues during construction. Environmental plans prepared as part of this strategy are detailed in Section 4.2. A plan depicting all the monitoring to be carried out in relation to the Project, and a table summarising all the monitoring and reporting obligations is included in Section 5.2

## 3 RISK MANAGEMENT

### 3.1 IDENTIFICATION OF ENVIRONMENTAL HAZARDS AND RISKS

The management of environmental impacts during construction would follow a risk-based approach to determine the severity and likelihood of an activity's impact on the environment and to prioritise its significance. This process considers potential regulatory and legal risks also taking into consideration the concerns of community and other stakeholders.

Risks assessment are undertaken at various stages of construction and documented in management plans, work method statements and other Project documents. The objectives of these risk assessments are to:

- Identify activities, events or outcomes that have the potential to adversely affect the local environment and/or human health/property.
- Qualitatively evaluate and categorise each risk item.
- Assess whether risks can be managed by environmental protection measures
- Qualitatively evaluate residual risk with implementation of measures

Risk assessments for the Project are based on AS/NZS ISO 31000:2009 Risk Management Principles and Guidelines, the Australian standard for risk assessments.

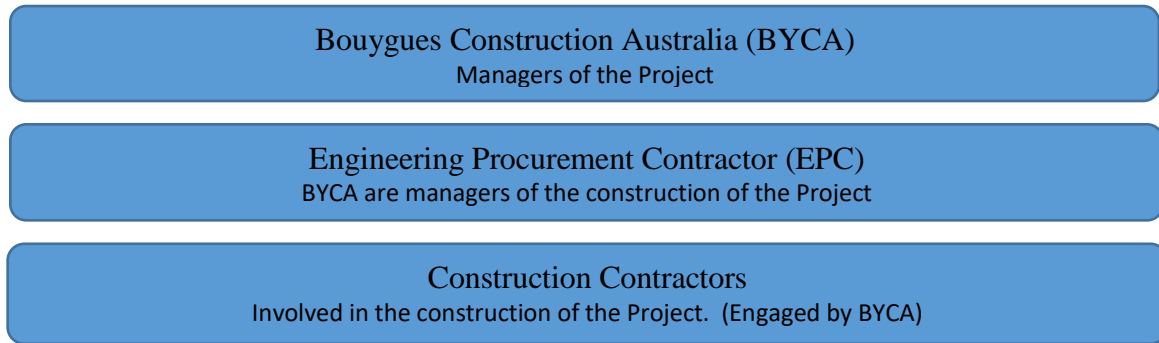
The following actions will be undertaken to meet the objectives of the risk assessments associated with the Project:

- Hold a construction risk assessment workshop prior to construction.
- Review outcomes of risk assessments of the workshop at the monthly risk review.
- Review outcomes of risk assessment for critical work stages of construction.

## 4 IMPLEMENTATION AND OPERATION

### 4.1 STRUCTURE AND RESPONSIBILITY

Below is a flow chart outlining the overall hierarchy of teams responsible for the construction of the Project.



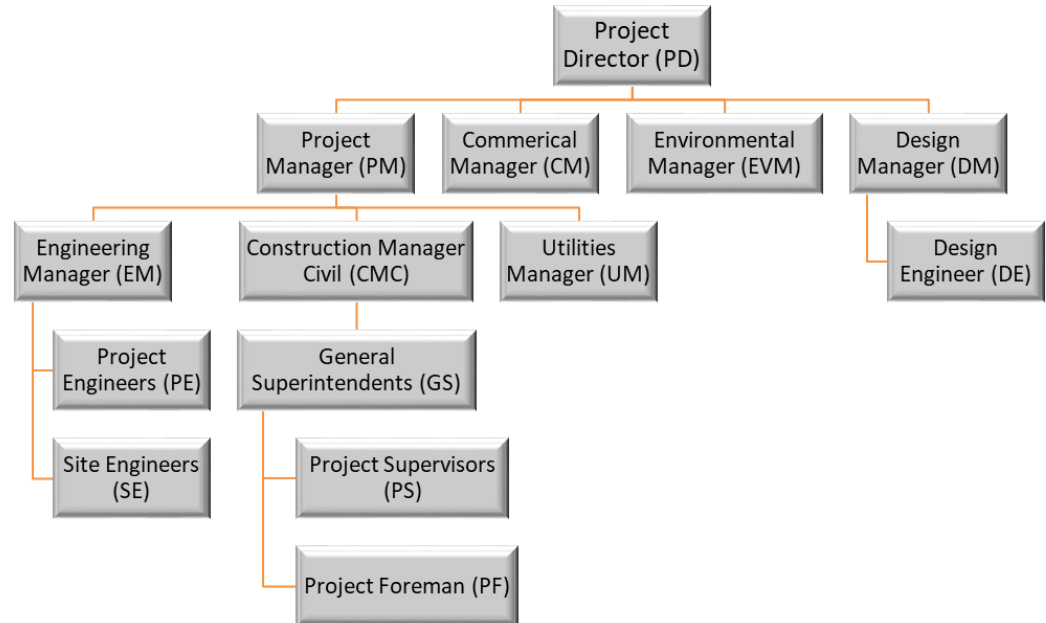
Roles and responsibilities of BYCA's Project construction team are identified and described in Table 4-1.

Bouygues Construction Australia shall ensure specific responsibilities are communicated to all personnel via appropriate environmental management training (part of the initial Site Induction).



#### 4.1.1 Bouygues Construction Australia Organisational Chart

BYCA's typical organisational chart is provided below in Figure 4-1.



**Note:** Due to the scope of this project the QSE Manager is considered the Environmental Manager (EVM)

Figure 4-1 BYCA company organisational chart

#### 4.1.2 Environmental Management Team

Table 4-1 Construction team roles and responsibilities

Role	Responsibility	Authority
<b>Project Manager</b>	<ul style="list-style-type: none"> <li>Ensure resources are made available to enable works to comply with EMS and other environmental management requirements.</li> <li>Ensure that all procedures are followed adequately.</li> <li>Ensure appropriate approvals and licences are held.</li> <li>Ensure all staff and contractors are aware of environmental compliance requirements and environmental controls.</li> <li>Responsible for reporting incidents and non-compliance with the conditions of consent</li> </ul>	<ul style="list-style-type: none"> <li>Order Stop-work for an activity that may cause material or environmental harm.</li> <li>Release of environmental hold points, if required.</li> </ul>
<b>Quality Safety and Environment Manager (QSE)</b>	<ul style="list-style-type: none"> <li>Maintaining all environmental management documents.</li> <li>Identifying where environmental measures are not meeting the targets and where improvements can be achieved.</li> <li>Monitoring and reporting environmental compliance.</li> <li>Reviewing Project environmental documents.</li> <li>Reporting of pollution incidents.</li> </ul>	<ul style="list-style-type: none"> <li>Recommend Stop-work for an activity that may cause material or environmental harm.</li> <li>Release of environmental hold points, if required.</li> </ul>

Role	Responsibility	Authority
<b>HSE Coordinators</b>	<ul style="list-style-type: none"> <li>Undertake routine environmental site inspection.</li> <li>Maintaining environmental records.</li> <li>Verifying the on boarding of plant, materials and chemicals and ensuring all items are appropriately stored.</li> <li>Responsible for addressing corrective actions arising from Environmental Inspections.</li> </ul>	Approve minor changes to environmental sub-plans, including Erosion and Sediment Control Plans (ESCP).
<b>Project Site Manager / Foremen</b>	<ul style="list-style-type: none"> <li>Responsible for the implementation of environmental management plans.</li> <li>Responsible for all aspects of the worksite including the coordination and management of all staff and subcontractors.</li> </ul>	<ul style="list-style-type: none"> <li>Order Stop-work if any items in the CEMP are in danger of breach.</li> <li>Approve and accept waste disposal methods requested by staff or subcontractors.</li> </ul>
<b>All Bouygues Construction Australia staff:</b> <ul style="list-style-type: none"> <li>BYCA Project Director/ QSE Director</li> </ul> <b>BYCA Site Team</b>	<ul style="list-style-type: none"> <li>Ensure contractors are working in accordance with the requirements of the EMS, as required under the EPC contract.</li> <li>Undertake site visits during construction to monitor compliance with EMS requirements.</li> <li>Report and raise any issues that arise that may have an environmental impact.</li> <li>Report and raise the discovery of any artefacts, Aboriginal relics or places and cease work until the matter has been addressed.</li> </ul>	<ul style="list-style-type: none"> <li>Report any issues that may have the potential to cause material or environmental harm.</li> <li>Report any incidents or near-misses that may impact on the environment or breach conditions set-out in this EMS.</li> </ul>
<b>Subcontractors</b>	<ul style="list-style-type: none"> <li>Operate as instructed by the BYCA Site Manager in compliance with all environmental requirements</li> </ul>	<ul style="list-style-type: none"> <li>BYCA Site Manager</li> </ul>

## 4.2 ENVIRONMENTAL PLANS

A CEMP will be prepared to guide the delivery of environmental management on the project. The CEMP will be supported by a series of sub-plans, Environmental Work Method Statements (EWMS), Erosion and Sediment Control Plans and other documents. A list of construction sub-plans and strategies for the Project are provided in Table 4-2.

**Table 4-2 Construction sub-plans and approval requirements**

Document name	Document identifier	Approval requirement	Status
<b>Traffic Management Plan</b>	TMP	Prepare in consultation with RMS and Council, and to the satisfaction of the Secretary by SECA	Approved
<b>Landscape Plan</b>	LP	Prepare for BYCA by NGH in consultation with Council, and to the satisfaction of the Secretary	Resubmitted to Council after amendments
<b>Biodiversity Management Plan</b>	BMP	Prepared for BYCA by NGH in consultation with OEH and to the satisfaction of the Secretary	Submitted waiting approval
<b>Cultural Heritage Management Plan</b>	CHMP	Prepare in consultation with OEH and Aboriginal Stakeholders, and to the satisfaction of the Secretary	Resubmitted to PIE after amendments
<b>Soil and Water Management Plan</b>	SP	Internal Bouygues Construction Australia approval	Approved



A U S T R A L I A

<b>Fire Management Plan</b>	FMP	Fire and Rescue NSW, NSW Rural Fire Service	Waiting reply
<b>Emergency Management Plan</b>	EMP	Fire and Rescue NSW, NSW Rural Fire Service	Waiting reply
<b>Waste and Energy Management Plan</b>	WEMP	Internal Bouygues Construction Australia approval	Approved

Document name	Document identifier	Approval requirement
Road Dilapidation Report	RDR	Internal Bouygues Construction Australia approval
Community Consultation Plan	CCP	Proponent
Stake Holder Management Plan	SMP	Internal Bouygues Construction Australia approval

### 4.3 TRAINING, AWARENESS AND COMPETENCE

To ensure that this EMS is effectively implemented, each level of management is responsible for ensuring that all personnel reporting to them are aware of the requirements of this strategy. The QSE Manager will coordinate the environmental training in conjunction with other training and development activities (e.g. safety).

#### 4.3.1 Environmental induction

Prior to working on site all personnel and sub-contractors will undertake the Pegasus online site-specific induction covering environmental aspects. This is done to ensure all personnel involved in the Project are aware of the requirements of the EMS, and to ensure the implementation of environmental management measures.

Short-term visitors to site for purposes such as deliveries will be required to be accompanied by inducted personnel at all times.

The HSE Coordinators will conduct the environmental component of the site inductions.

The environmental induction will address a range of issues including, but not limited to:

- Purpose and objectives of EMS.
- Requirements of due diligence and duty of care.
- Roles and responsibilities.
- Typical project environmental hazards and risks, including:
  - No go and exclusion zones
  - Location of sensitive environmental areas
  - Community sensitivities
- Environmental emergency and incident procedures and locations of emergency spill kits.
- Management and reporting process for environmental incidents.

A record of all environment inductions will be maintained.

The QSE Manager will review and approve the induction program and monitor implementation.

#### 4.3.2 Toolbox talks, training and awareness

Toolbox talks will be one method used to raise awareness and educate personnel on issues related to environmental risks. Discussion of environmental issues will be a standard agenda item on all toolbox talks. From time to time, specific topics will be selected for more detailed discussion. Toolbox talks will be prepared and delivered by the Site Manager with assistance from the HSE Coordinators. A register of toolbox talks will be kept and maintained by the HSE Coordinators.

Typical environmental topics discussed at toolbox talks include:

- Erosion and sedimentation management
- Vegetation clearing and protection
- Noise, vibration, and air quality management
- Management of identified heritage items
- Emergency procedures

#### **4.3.3 Environmental Awareness Training**

In addition to inductions and toolbox talks, select employees and sub-contractors may be provided with additional environmental awareness training. Formal qualifications for specialist staff may be required in relation to activities such as animal handling and the design of erosion and sedimentation control plans.

Targeted environmental awareness training will be provided to individuals or groups of workers with a specific authority or responsibility for environmental management or those undertaking an activity with a high risk of environmental impact.

This training may be delivered by external providers or by the QSE Manager. Daily pre-start meetings will occur during construction. The pre-start meeting is a tool for informing the workforce of the day's activities. Safe work practices, environmental protection practices, work area restrictions, activities that may affect the works, coordination with other trades, hazards and other information that may be relevant to the day's work are discussed.

The Site Manager will conduct a daily pre-start meeting with the site workforce before the commencement of work each day (or shift) or where changes occur during a shift. Daily pre-start meetings are generally succinct and take approximately 10-15 minutes.

The environmental component of pre-starts will be determined by relevant foreman and environmental personnel and will include any environmental issues that could potentially be impacted by, or impact on, the day's activities. All attendees will be required to sign on to the pre-start and acknowledge their understanding of the issues explained.

## **4.4 COMMUNICATION**

### **4.4.1 Internal communication**

Clear lines of communication through all levels and functions (e.g. management, staff and sub-contractors), is key to minimise environmental impacts and achieving continual improvements in environmental performance.

#### **Daily onsite communication**

The QSE team will meet daily as part of Project construction meetings to discuss any issues with environmental management onsite, any amendments to plans that may be required or any new/changes to construction activities.

#### **Fortnightly environmental inspections**

Fortnightly environmental inspections will be undertaken with the HSE and relevant Project staff. The purpose of these inspections is to communicate ongoing environmental performance and to identify any issues to be addressed.

### Monthly project review meetings

Monthly Project review meetings will be attended by BYCA and any other significant parties. The meetings will discuss the progress of the Project and will review significant environmental risks.

### Management review

A Management Review of the EMS and Project plans will be completed at least once during the Project. This will involve the QSE Manager and relevant Project team members and stakeholders.

A requirement of Schedule 4 (2) of the CoC states that;

*The Applicant must:*

- (a) update the strategies and plans 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 and plans 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 consent*

Amendments to the Project's management documents, risk assessment review, re-evaluation of the Project objectives and targets as well as changes to other Project documents would be conducted in accordance with the Documentation and Document Control procedures outlined in Section 4.6.

#### 4.4.2 Government Authority Communication

The QSE Manager will be the main point of contact regarding specific environmental issues. The QSE Manager has the responsibility to provide, upon request, information on the ongoing environmental performance of the Project to DPE. Bouygues Construction Australia will also notify the Department prior to the commencement of construction, operations, upgrading and decommissioning of the development.

Details of incident reporting to government agencies, including DPE, are provided in Section 4.7.

The name and contact numbers for the site personnel who are available to EPA on a 24-hour basis and who have the authority to take immediate action to shut down any activity or to affect any pollution control measure as directed by an authorised officer of EPA will be provided. These roles are:

1. Project Manager (BYCA)
2. Site Supervisor (BYCA)
3. QSE Manager (BYCA)

Schedule 4, Condition 4 of the CoC states that:

*The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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.*

Bouygues Construction Australia will immediately notify the Secretary and any other relevant agencies of any incident on site. 'Immediately' has its ordinary dictionary meaning of promptly and without delay.



Within 7 days of the date of the incident, Bouygues Construction Australia will provide the Secretary and any relevant agencies with a copy of the incident report, and such further reports as may be requested.

In the event of non-compliance with the CoC, Bouygues Construction Australia will comply with Schedule 4 Condition 4 of the CoC, which states that:

*The Department must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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 noncompliance (if known) and what actions have been done, or will be, undertaken to address the noncompliance.*

Additionally, Bouygues Construction Australia will ensure that results of the Independent Environmental Audit are submitted to the Secretary within 3 months of commencement of the audit. Refer to Section 5.1 for details about Project audit requirements.

#### **4.4.3 Stakeholder and community engagement**

Bouygues Construction Australia is aware of the necessity for an effective and genuine consultation process, in which the community and stakeholders are actively engaged.

Full details of future community consultation will be contained in the Project's CCP. These types of communication may include, but are not limited to:

- Regular Project updates
- Notifying all residence effected residents of the details
- Establishment of a single point of contact for the community via a Bouygues Construction Australia phone number.
- Maintenance of the Project website administered by the proponent, including publishing up-to-date information on the Project, such as:
  - The EIS.
  - The final layout plans for the development.
  - Current statutory approvals for the development.
  - 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, FS-QA-RG-09 Project Complaints Register.
  - Any other matter required by the Secretary (DPE).

#### **4.4.4 Complaints procedure**

Bouygues Construction Australia have established channels for receiving community feedback on the Project. In addition to direct contact from the public these channels will include:

- Email: [f.goeffroy@bouygues-constrction.com](mailto:f.goeffroy@bouygues-constrction.com)
- Phone line: 0402333429
- Postal address: Level 2 77 Pacific Highway North Sydney NSW

A complaints procedure has been developed to identify and respond to issues generating complaints from the public. The complaints management and mediation system (unresolved complaints), has been prepared in accordance with AS 4269: *Complaints Handling*.

The system includes a Complaints Register to record and compile information on all complaints received.

The register includes details of the complainant, how the complaint was addressed, and whether resolution was reached, with or without mediation. In the event of an environment-related complaint from the community, the BYCA Project Manager will ensure the matter is recorded and will undertake further investigation. The details of the complaint will be recorded in FS-QA-RG-09 Project Complaints Register which will include the following:

- The date and time, where relevant, of the complaint.
- The means by which the complaint was made (telephone, mail or email).
- Any personal details of the complainant that were provided, or if no details were provided, a note to that effect.
- The nature of the complaint.
- Any action(s) taken in relation to the complaint, including timeframes for implementing the action.
- If no action was taken in relation to the complaint, the reason(s) why no action was taken.
- The status of the complaint (i.e. open/closed).

The Complaints Register will be managed and maintained by BYCA during construction. The Project Manager will be responsible for:

- Providing an initial response to the person complaining within 24 hours of the complaint being made, advising them that their complaint is being investigated.
- Forwarding the complaint details to the relevant personnel and contractor, where required.
- Ensuring that the complaint is addressed in a timely manner and that the complaint addressed adequately, ensuring a full response is sent.
- Logging all details on the complaint in the Complaints Register.
- Notifying the relevant authorities, if necessary, in accordance with statutory requirements.

Complaints will be acknowledged by Project staff with a phone call within 24 hours of being received. Project staff will provide written acknowledgement within 48 hours of the complaint being received. Acknowledgement will include a resolution of the complaint where possible. Where a more detailed investigation is required Bouygues Construction Australia will provide a response and potential resolution within five working days of the complaint receipt. Unresolved complaints will follow mediation with an independent arbiter agreed by both parties.

#### **4.4.5 Dispute Resolution**

In the event that the procedure for investigating and responding to a complaint, including the implementation of measures for avoiding a recurrence cannot be resolved and a dispute does arise, BYCA will do the following:

- Advise DP&E that there is a dispute.
- Provide DP&E with copies of the relevant complaint history.
- If determined necessary by DP&E, engage a specialist with expertise relevant to the issue at hand to investigate the dispute and provide recommendations for resolution.
- Advise the third party in dispute and DP&E in writing, as to when the dispute investigation will be completed.

Provide the third party and DP&E a copy of the dispute investigation report, inclusive of BYCA's intentions with regards to the implementation of the recommendations for resolution

#### **4.5 ENVIRONMENTAL SITE INSPECTIONS AND IMPACT VERIFICATION**

The QSE Manager will be responsible for ensuring environmental site inspections are carried out. Environmental inspections will be conducted fortnightly and post rainfall during construction and will be recorded on relevant checklists.

At completion of inspections, the QSE Manager will prepare the following:

- A site inspection report.
- A site inspection action plan listing deficiencies and corrective actions required.
- Sub-contractor notices for major/serious deficiencies.

All actions will be recorded and checked for implementation.

All deficiencies must be promptly issued to the applicable parties, actioned, verified and closed out within an appropriate time frame based on the risk score associated with each deficiency. Actions listed will be identified and an appropriate timeframe to close out will take into consideration risks (e.g. location, weather).

Prior to the commencement of works on each shift, an inspection will be carried out and will include a check of the relevant environmental controls and resources required to ensure effective operation and maintenance. Works are not to commence unless inspections are found to be satisfactory.

#### **4.6 DOCUMENTATION AND DOCUMENT CONTROL**

The QSE Manager is responsible for maintaining all environmental management documents as current at the point of use. Types of records include:

- All monitoring, inspection and compliance reports/records.
- Correspondence with public authorities.
- Induction and training records.
- Reports on environmental incidents, other environmental incidents non-conformances, complaints and follow-up action.
- Community engagement information, and a complaints record.

- Minutes of EMS and construction environmental management system review meetings and evidence of any action taken.

All environmental management documents are subject to ongoing review and continual improvement. This includes times of change to scheduled activities or to legislative or licensing requirements.

Only the QSE Manager, or delegate, with relevant Agency approval (if required) has the authority to change any of the environmental management documentation.

#### **4.6.1 Document control**

Bouygues Construction Australia will coordinate the preparation, review and distribution, as appropriate, of the environmental documents listed in Section 4.2. During the Project, the environmental documents will be stored as per the *Document Control and Record Management Procedure PR-QA-01*.

Bouygues Construction Australia will implement a document control procedure to control the flow of documents within and between stakeholders and sub-contractors.

The procedure will also ensure that documentation is:

- Developed, reviewed and approved prior to issue.
- Issued for use.
- Controlled and stored for the legally required timeframe.
- Removed from use when superseded or obsolete.
- Archived.

A register and distribution list will identify the current revision of particular documents or data.

### **4.7 EMERGENCY PREPAREDNESS AND RESPONSE (INCIDENT REPORTING)**

For the purpose of this strategy, an Environmental Incident is defined as, “A set of circumstances that caused or threatens to cause material harm to the environment. With Material Harm defined as;

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)

The PL-EV-09 Fire Management Plan and PL-CO-05 Emergency Management Plan identifies emergency procedures and incident response plans, including notification procedures. The Spills Response Plan (Appendix D) identifies measures that will be taken in the event of a spill onsite.

#### **4.7.1 Incident Reporting**

Typically, environmental incidents will be notified verbally to the Site Manager immediately. Incidents will be investigated as per the Incident Management Procedure PR-CO-04. The Client would be notified in writing within 1 hour of any incident occurring. Incident reports will then be provided



Shaping a **Better Life**

A U S T R A L I A

within 48 hours of the incident occurring, including lessons learnt from each environmental incident occurring, and proposed measures to prevent the occurrence of a similar incident.

#### **4.7.2 DPE Notifiable Incidents**

As per Schedule 4 Condition 4 of the CoC, Bouygues Construction Australia will immediately notify the Secretary and any other relevant agencies of any incident on site. 'Immediately' has its ordinary dictionary meaning of promptly and without delay.

Within 7 days of the date of the incident, Bouygues Construction Australia will provide the Secretary and any relevant agencies with a copy of the incident report, and such further reports as may be requested.

After the submission of an incident report, Bouygues Construction Australia will review and, if necessary, revise the strategies and plans required under the approval consent to the satisfaction of the secretary within 1 month of the submission of an incident report.

#### **4.7.3 Non-Compliance Notification**

Environmental non-compliances will be reported and actioned through the Incident Management Procedures detailed in Section 4.7.

As per Schedule 4 Condition 5 of the CoC, Bouygues Construction Australia will notify the Department in writing at [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within 7 days after BYCA becomes aware of any non-compliance with the conditions of this consent. The notification will 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 noncompliance (if known) and what actions have been done, or will be, undertaken to address the noncompliance.

#### **4.7.4 EPA Notifiable Incidents**

The EPA will be notified of any environmental incidents or pollution incidents on or around the site via the EPA Environment Line (telephone 131 555) in accordance with Part 5.7 of the *Protection of the Environment Operations Act 1997* (NSW) (POEO Act). The circumstances where material harm is evident include:

- a) If the actual or potential harm to the health or safety of human beings or ecosystems is not trivial.
- b) If actual or potential loss or property damage (including clean-up costs) associated with an environmental incident exceeds \$10,000 (Material Harm).

Pollution incidents posing material harm to the environment should be notified to each 'relevant authority' as defined in Section 148 (8) of the POEO Act. 'Relevant authority' means:

- NSW EPA as the appropriate regulatory authority (ARA) on **131 555 (or (02) 9995 5555**
- The NSW Ministry of Health **02 9391 9000**
- Safe Work NSW (formerly WorkCover) on **13 10 50**
- The local authority, Dubbo Regional Council on **(02) 6801 4000** (day time hours) this number diverts to an emergency line outside office hours
- Fire and Rescue NSW on **000** or for Mobiles Only **112**
- Rural Fire Service North West Region on **02 6822 4422**

Where an incident involves an Aboriginal site, relevant Registered Aboriginal Parties will be notified, and their input sought in closing out the incident.

Bouygues Construction Australia will maintain all records relating to environmental incidents.





Shaping a Better Life

## 5 MEASUREMENT AND EVALUATION

### 5.1 SYSTEM AUDITING AND MAINTENANCE

#### 5.1.1 Internal Auditing

Environmental compliance audits by Bouygues Construction Australia may be conducted on all relevant aspects of the EMS and will be performed in accordance with recognised audit procedures. At least one internal compliance audit will be conducted during the Project.

Internal audits will verify that the Project is in compliance with conditions and that environmental control measures are effective. More frequent auditing may occur if environmental checks indicate major deficiencies with environmental management of the site.

Audits will be planned, carried out and reported to provide assessment of the Project. Audits will:

- Assess the environmental performance of the Project and assess whether it is complying with the requirements within the Project Approval and any other approvals or permits.
- Review the adequacy of any approved strategy, plan or program.
- Recommend measures or actions to improve the environmental performance of the Project; and or any strategy, plan or program required under the approvals.
- Assess the level of compliance with conditions, regulations (including license and permit conditions) and planned environmental management requirements.
- Assess the capacity to comply, inspect, test, monitor, control and verify that construction (by BYCA and any sub-contractors) activities are being carried in accordance with the Project's requirements and conditions

#### 5.1.2 External Auditing

An independent external audit is to be carried out within 6 months of the commencement of construction, or as directed by the Secretary.

Schedule 4, condition 6 of the CoC stipulates:

*Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. The audit must:*

- a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;*
- b) be carried out in consultation with the relevant agencies;*
- c) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and*
- d) 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 must be implemented to the satisfaction of the Secretary*

## **5.2 ENVIRONMENTAL MONITORING AND REPORTING**

CoC Condition 1 of Schedule 4 requires that the Environmental Management strategy must:

- 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*

A plan depicting all the monitoring and reporting obligations to be carried out in relation to the Project is provided below (Table 5-1), along with the monitoring and reporting obligations identified in both the CoC and Statement of Commitments (SoC's), along with how these obligations will be met within the EMS.

The objective of the monitoring and reporting will be to validate the impacts predicted for the Project, to measure the effectiveness of environmental controls and implementation of this EMS, and to address specific requirements.

Bouygues Construction Australia will respond in a timely manner to any requests in relation to monitoring or effectiveness of environmental controls and their implementation raised by NSW Government Agencies.

## **5.3 CORRECTIVE AND PREVENTATIVE ACTION**

Any non-conformance to the system will be dealt with through the audit procedures detailed in Section 5.1.

**Table 5-1 Monitoring and reporting as required under the CoC and SoC in relation to the Project.**

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Project Environmental Conditions - General</b>			
Sch 3 C 2,3	<i>Over-Dimensional and Heavy Vehicle Restrictions</i>	<p>The Applicant must ensure that the:</p> <p style="padding-left: 40px;">(c) development does not generate more than:</p> <ul style="list-style-type: none"> <li>• 45 heavy vehicle movements a day during construction, upgrading or decommissioning;</li> <li>• 1 over-dimensional vehicle movements a day during construction, upgrading or decommissioning;</li> <li>• 5 heavy vehicle movements a day during operations; on the public road network; and</li> </ul> <p style="padding-left: 40px;">(d) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 19 metres, unless the Secretary agrees otherwise</p> <p>The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day.</p>	<p>Internal and External audits (EMS Section 5.1)</p> <p>Vehicle Movements Report made publicly available within three months of completion of construction.</p> <p>Traffic Management Plan (TMP)</p> <p>Delivery Vehicle Register (TMP)</p>
Sch 3 C4	<i>Designated Over-Dimensional and Heavy Vehicle Access Route</i>	<p>All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Mitchell Highway, Showground Road, Renshaw McGirr Way and Suntop Road, as identified in the figure in Appendix 3.</p> <p><i>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.</i></p>	<p>Internal and External audits (TMP; EMS Section 5.1)</p> <p>Vehicle Movements Report made publicly available within three months of completion of construction. (TMP)</p> <p>Delivery Vehicle Register (TMP)</p>

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Project Environmental Conditions - General</b>			
Sch 3 C 7	<i>Operating Conditions</i>	<p>The Applicant must ensure:</p> <ul style="list-style-type: none"> <li>(a) the internal roads are constructed as all-weather roads;</li> <li>(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;</li> <li>(c) the capacity of the existing roadside drainage network is not reduced;</li> <li>(d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and</li> <li>(e) development-related vehicles leaving the site are in a clean condition and do not result in dirt being tracked onto the public road network</li> </ul>	Environmental Site Inspection and Impact Verification Section 4.5 of the EMS (this document)

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Project Environmental Conditions - General</b>			
Sch 3 C.13	<i>Biodiversity Management Plan</i>	<p>Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with OEH, and to the satisfaction of the Secretary. This plan must:</p> <p>(e) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• managing the remnant vegetation and fauna habitat on site;</li> <li>• minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;</li> <li>• minimising the impacts to fauna on site (including fauna interaction with perimeter fencing) and implementing fauna management protocols;</li> <li>• avoiding the removal of hollow-bearing trees during late winter and spring to avoid the main breeding period for hollow-dependent fauna;</li> <li>• rehabilitating and revegetating temporary disturbance areas;</li> <li>• protecting vegetation and fauna habitat outside the approved disturbance areas;</li> <li>• 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</li> <li>• controlling weeds and feral pests; and</li> </ul> <p>(f) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions</p> <p>Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan.</p> <p><i>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 covered under the Biodiversity Stewardship Agreement.</i></p> <p><b>BYCA have engaged NGH to develop the Biodiversity Management Plan</b></p>	<p>Biodiversity Management Plan</p> <p>Internal and External audits (EMS Section 5.1)</p>



Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Project Environmental Conditions - General</b>			
Sch 3 C 29	<i>Accommodation and Employment Strategy</i>	<p>Prior to the commencement of 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:</p> <p>(a) propose a strategy to facilitate the accommodation of the workforce associated with the development, with consideration of the cumulative impacts associated with other State significant development projects in the Dubbo Regional LGA constructed concurrently</p> <p>(b) investigate options for prioritising the employment of local workers for the construction and operation of the development where feasible; and</p> <p>(c) include a program to monitor and review the effectiveness of the strategy over the life of the development</p> <p>Following the Secretary's approval, the Applicant must implement the Accommodation and Employment Strategy.</p>	Accommodation and Employment Strategy
Sch 3 C 19	<i>Protection of Heritage Items</i>	<p>The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items identified in Table 1 in Appendix 4 or located outside the approved development footprint.</p> <p><b>Note: The location of the Aboriginal heritage items referred to in the conditions are shown in the figure in Appendix 1, of the CoC.</b></p>	PL-EV-07 Cultural Heritage Plan Chance Finds Protocol Periodic inspection of: Suntop IF 1 Suntop IF 2 Suntop Culturally Significant Tree
Sch 3 C 20	<i>Discovery of Human Remains</i>	<p>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 OEH as soon as possible following the discovery, and work must not recommence in the area until this is authorised by OEH.</p>	PL-EV-07 Cultural Heritage Plan Chance Finds Protocol
Sch 3 C 21	<i>Chance Finds Protocol</i>	<p>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 OEH.</p> <p>Following OEH's approval, the Applicant must implement the Chance Finds Protocol. <b>BYCA has engaged NGH to develop this plan</b></p>	PL-EV-07 Cultural Heritage Plan

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Project Environmental Conditions - General</b>			
Sch 3 C 22	<i>Water Supply</i>	<p>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.</p> <p>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.</p> <p><b>Current Water Licence</b></p>	<p>PL-EV-01 Environmental Management Plan (CEMP) Erosion and Sediment Controls</p> <p>PL-EV-04 Soil and Water Management Plan</p> <p><b>Approval:</b> GW056551</p> <p><b>Location:</b> Lot 3 DP 506925</p> <p><b>Type:</b> Bore</p> <p><b>Use:</b> Basic Rights</p>
Sch 3 C 23	<i>Water Pollution</i>	<p>The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the <i>Protection of the Environment Operations Act 1997</i>.</p>	<p>PL-EV-04 Soil and Water Management Plan</p> <p>PL-EV-01 Environmental Management Plan (CEMP) Erosion and Sediment Controls</p> <p>Regular monitoring and inspections</p> <p>Weather monitoring</p>
Sch 3 C 24	<i>Operating Conditions</i>	<p>The Applicant must:</p> <p>(a) 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;</p> <p>(b) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and</p> <p>(c) ensure all works (including watercourse crossings) are undertaken in accordance with the following, unless otherwise agreed by DoI – L &amp; W:</p> <ul style="list-style-type: none"> <li>Guidelines for Controlled Activities on Waterfront Land (2012), or its latest version; and</li> <li>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004), or its latest version.</li> </ul>	<p>PL-EV-04 Soil and Water Management Plan</p>

Sch 3 C 27	<i>Fire Management and Emergency Response Plans</i>	Prior to the commencement of operations, the Applicant must prepare a Fire Management Plan 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.	PL-EV-09 Fire Management Plan PL-CO-05 Emergency Management Plan
---------------	---	---	---

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
CoC Appendix 4	<i>Aboriginal Heritage Items</i>	Suntop IF 1 Suntop IF 2 Suntop Culturally Significant Tree Confirm delineation Culturally Significant Tree	PL-EV-07 Cultural Heritage Plan Chance Finds Protocol Periodic inspection of: Suntop IF 1 Suntop IF 2 Suntop Culturally Significant Tree Delineation in place and in good condition
Sch 3 C 5	<i>Road Upgrades</i>	Prior to commencement of construction, the Applicant must upgrade the intersection of Renshaw McGirr Way and Suntop Road, to the satisfaction of the relevant roads authority.	Traffic Management Plan Landscape Plan
Sch 3 C6	<i>Site Access</i>	Prior to the commencement of construction, the Applicant must construct two site access points off Suntop Road (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, including sealing the on-site access roads a minimum of 30 m from their intersection with Suntop Road, in accordance with the Austroads Guide to Road Design (as amended by RMS supplements), to the satisfaction of Council.	Traffic Management Plan Landscape Plan

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 C 8	<i>Traffic Management Plan</i>	<p>Prior to the commencement of 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:</p> <p>(a) details of the transport route/s to be used for all development-related traffic, including the location of access points;</p> <p>(b) a protocol for undertaking independent dilapidation surveys to assess the:</p> <ul style="list-style-type: none"> <li>existing condition of Suntop Road, Renshaw McGirr Way and Showground Road on the transport route/s prior to construction, upgrading or decommissioning activities; and</li> <li>condition of Suntop Road, Renshaw McGirr Way and Showground Road on the transport route/s following construction, upgrading or decommissioning activities;</li> </ul> <p>(c) a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works;</p> <p>(d) details of the road upgrade works required by condition 5 of Schedule 3;</p> <p>(e) details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction, upgrading or decommissioning works, including:</p> <ul style="list-style-type: none"> <li>consideration of potential interaction with other State significant development projects in the Dubbo Regional LGA, in consultation with the Applicants of the projects;</li> <li>temporary traffic controls, including detours and signage;</li> <li>notifying the local community about project-related traffic impacts;</li> <li>procedures for receiving and addressing complaints from the community about development related traffic;</li> <li>minimising potential for conflict with school buses and other motorists as far as practicable;</li> </ul>	<p>Traffic Management Plan</p> <p>Inspection and maintenance program for local road access (TMP)</p> <p>Road Dilapidation Reports (TMP)</p> <p>Delivery Vehicle Register (TMP)</p>

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 C 8 Cont.	<i>Traffic management Plan</i>	<ul style="list-style-type: none"> <li>• scheduling of haulage vehicle movements to minimise convoy length or platoons;</li> <li>• responding to local climate conditions that may affect road safety such as fog, dust and wet weather;</li> <li>• responding to any emergency repair or maintenance requirements; and</li> <li>• a traffic management system for managing over-dimensional vehicles; and</li> <li>(f) a driver's code of conduct that addresses:               <ul style="list-style-type: none"> <li>• travelling speeds;</li> <li>• driver fatigue;</li> <li>• procedures to ensure that drivers adhere to the designated transport route/s; and</li> <li>• procedures to ensure that drivers implement safe driving practices</li> </ul> </li> </ul> <p>Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.</p> <p><b><i>BYCA has engaged SMEC to complete this plan.</i></b></p>	<p>Traffic Management Plan</p> <p>Inspection and maintenance program for local road access (TMP)</p> <p>Road Dilapidation Reports (TMP)</p> <p>Delivery Vehicle Register (TMP)</p>
Sch 3 C 9	<i>Vegetation Buffer</i>	<p>The Applicant must establish and maintain a mature vegetation buffer (landscape screening) at the locations outlined in the figure in Appendix 1, to the satisfaction of the Secretary.</p> <p>This vegetation buffer must:</p> <ul style="list-style-type: none"> <li>(a) be planted prior to the commencement of operations;</li> <li>(b) consist of species that facilitate the best possible outcome in terms of visual screening;</li> <li>(c) within 3 years of the commencement of construction be effective at screening view of the solar panels and ancillary infrastructure on site from surrounding residences; and</li> <li>(d) be properly maintained with appropriate weed management</li> </ul>	Landscape Plan

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 10	<i>Landscaping Plan</i>	<p>Prior to the commencement of construction, the Applicant must prepare a detailed Landscaping Plan for the development in consultation with Council and surrounding landowners, to the satisfaction of the Secretary.</p> <p>This plan must include:</p> <p>(a) a description of measures that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 9 (a) – (c) of schedule 3 of this consent;</p> <p>(b) include a program to monitor and report on the effectiveness of these measures; and (c) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions</p> <p>Following the Secretary's approval, the Applicant must implement the Landscaping Plan.</p>	Monitoring during construction
Sch 3 14	<i>Construction, Upgrading and Decommissioning Hours</i>	<p>Unless the Secretary agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between:</p> <p>(a) 7 am to 6 pm Monday to Friday;</p> <p>(b) 8 am to 1 pm Saturdays; and</p> <p>(c) at no time on Sundays and NSW public holidays</p> <p>The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:</p> <ul style="list-style-type: none"> <li>• the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or</li> <li>• emergency work to avoid the loss of life, property and/or material harm to the environment</li> </ul>	PL-CO-01 Project Management Plan

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 15	Noise	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.	PL-EV-06 Noise and Vibration Management Plan
Sch 3 16	Dust	The Applicant must minimise the dust generated by the development	PL-EV-01 Environmental Management Plan (CEMP) PL-EV-05 Air Quality Plan
Sch 3 17	Visual	The Applicant must: (a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels; (b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and (c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes	PL-EV-01 Environmental Management Plan (CEMP)
Sch 3 18	Lighting	The Applicant must: (a) minimise the off-site lighting impacts of the development; (b) ensure that all 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	PL-EV-01 Environmental Management Plan (CEMP)



Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 25	<i>Storage and Handling of Dangerous Goods</i>	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) ensure the substation is suitably bunded; and</li> <li>(c) minimise any spills of dangerous</li> </ul>	<p>PL-EV-01 Environmental Management Plan (13.1.13 Chemical Storage and Spill Response Management) (CEMP)</p> <p>PL-HS-01 Safety Management Plan</p> <p>PL-CO-05 Emergency Management Plan</p>
Sch 3 26	<i>Operating Conditions</i>	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) minimise the fire risks of the development;</li> <li>(b) ensure that the development: <ul style="list-style-type: none"> <li>• includes at least a 10 metre defendable space around the perimeter of the solar array area that permits unobstructed vehicle access;</li> <li>• manages the defendable space and solar array areas as an Asset Protection Zone;</li> <li>• complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2006 (or equivalent) and Standards for Asset Protection Zones;</li> <li>• 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;</li> </ul> </li> <li>(c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and</li> <li>(d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations</li> </ul>	<p>PL-EV-01 Environmental Management Plan, (13.1.14 Fire)</p> <p>PL-EV-09 Fire Management Plan</p>
Sch 3 27	<i>Fire Management and Emergency Response Plans</i>	<p>Prior to the commencement of operations, the Applicant must prepare a Fire Management Plan and Emergency Response Plan for the development in consultation with the RFS and Fire &amp; 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.</p>	<p>PL-CO-05 Emergency Management Plan</p> <p>PL-EV-09 Fire Management Plan</p>

Item	CoC/SoC	Monitoring and Reporting Requirements	Monitoring proposed
<b>Statement of Commitments</b>			
Sch 3 C 28	Waste	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) minimise the waste generated by the development;</li> <li>(b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version);</li> <li>(c) store and handle all waste on site in accordance with its classification;</li> <li>(d) not receive or dispose of any waste on site; and</li> <li>(e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal</li> </ul>	<p>PL-EV-01 Environmental Management Plan, (13.1.12 Waste and Energy Management)</p> <p>PL-EV-08 Waste and Energy Management Plan</p>

## 6 MANAGEMENT REVIEW

A Management Review of the EMS and Project plans will be completed at least once during the Project. This will involve the QSE Manager and relevant Project team members and stakeholders.

A requirement of Schedule 4 (2) of the CoC states that;

*The Applicant must:*

- (a) update the strategies and plans 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 and plans 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 consent*

Amendments to the Project's management documents, risk assessment review, re-evaluation of the Project objectives and targets as well as changes to other Project documents would be conducted in accordance with the Documentation and Document Control procedures outlined in Section 4.6.

## APPENDIX A ENVIRONMENTAL POLICY



Shared Innovation

Environment & Sustainability  
Policy

Id no.:PO-EV-01

### Environment and Sustainability Policy

#### General Policy

Bouygues Construction Australia Pty Ltd. (BYCA) is committed to eliminating adverse environmental impacts emanating from our operations via implementing effective strategy to prevent pollution, reduce waste, reduce energy consumption and carbon footprint, and via environmentally sustainable construction methods.

Where practicable, we are committed to achieve a best practice standard of environmental management and effective integration of environmental, social, and economic sustainability initiatives across our operations.

To achieve our sustainability objective we are committed to implementing our global Actitudes initiative which defines 4 sustainability priorities and 12 commitments aimed to optimise our environment, social, and economic sustainability strategy.

#### Objective

To achieve this objective BYCA is committed to:

- Providing and maintaining an Environmental Management System which complies with legal requirements and AS/NZS ISO 14001:2016 Environmental Management Systems
- Promoting a work environment where environmental protection and sustainability is a shared value and responsibility of Company Directors, managers, employees, subcontractors and workers
- Implementing a site specific Environmental Management Plan (EMP) which details operational controls aimed to eliminate incidents and effectively mitigate environmental risk
- Establishing measurable objectives and targets to monitor environmental and sustainability performance, with regular review to identify opportunities for continual improvement
- Fostering a culture of environmental and sustainability excellence through training, and clearly defining responsibilities and accountabilities for our employees, subcontractors and other stakeholders
- The implementation of a project environmental inspection program, and systems to ensure effective emergency planning and response
- Consulting and communicating with community stakeholders regarding opportunities to implement project environmental and sustainability initiatives
- Ensuring our projects are economically sustainable and deliver value for money outcomes via undertaking whole of life costing analysis, and optimising project design.

Seved Robin, CEO  
Bouygues Construction Australia Pty Ltd.  
Date: 04/04/18

## APPENDIX B ENVIRONMENTAL LEGISLATION

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>Commonwealth Legislation</b>				
<b>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</b>	<p>The objects of this Act are:</p> <ul style="list-style-type: none"> <li>to provide for the protection of the environment, especially matters of national environmental significance</li> <li>to promote ecologically sustainable development through the conservation and ecologically sustainable use of natural resources</li> <li>to promote the conservation of biodiversity</li> <li>to provide for the protection and conservation of heritage</li> <li>to promote a co-operative approach to the protection and management of the environment involving governments, the community, land-holders and indigenous peoples</li> <li>to assist in the co-operative implementation of Australia's international environmental responsibilities</li> <li>to promote the use of indigenous peoples' knowledge of biodiversity with the involvement of, and co-operation with, land-holders and indigenous peoples</li> </ul> <p>Under the EPBC Act, any action that has, or is likely to have, a significant impact on a Matter of National Environmental Significance (MNES) may progress only with the approval of the Commonwealth Minister for the Environment.</p>	While no significant impacts on MNES as a result of the Project are considered likely, there is a general duty to avoid impacts to MNES.	None required	BYCA
<b>Native Title Act 1993</b>	The Native Title Act 1993 recognises that Aboriginal people have rights and interests to land and waters which derives from their traditional laws and customs. Native title may be recognised in places where Indigenous people continue to follow their traditional laws and customs and have maintained a link with their traditional country. It can be negotiated through a Native Title Claim, an Indigenous Land Use Agreement (ILUA) or future act agreements.	Cultural Heritage Management Plan with Chance Finds Protocol; has been developed to ensure protection of any un-expected Indigenous heritage finds.	CHMP to be approved by PIE	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>Renewable Energy (Electricity) Act 2000</b>	<p>The Renewable Energy (Electricity) Act 2000 aims to;</p> <ul style="list-style-type: none"> <li>• Encourage the generation of electricity from renewable sources</li> <li>• Ensure renewable energy sources align with the principals of Ecologically Sustainable Development</li> <li>• Reduce GHG emissions produced by the electricity sector.</li> </ul> <p>pitt&amp;sherry ref: Suntop Solar EIS - Main document.docx/DP/vg 47</p> <ul style="list-style-type: none"> <li>• Solar energy is listed as an eligible renewable energy source under Section 17 of this Act.</li> </ul>	The proposed Solar Farm aligns with the aims of the Renewable Energy (Electricity) Act, such that it will generate significant quantities of renewable energy, whilst emitting negligible GHG emissions.	None required	BYCA
<b>State Legislation</b>				
<b>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</b>	<p>The EP&amp;A Act provides for modifications to consents. Modification provisions are contained in Section 4.55 of the Act. Under this section. The following provisions apply to modifications:</p>	<p>An Environmental Impact Statement (EIS) was completed to assess the impact of the Project.</p> <p>It included the assessment of construction and operational activities along with operation of infrastructure that will affect, or likely to affect the environment. This was approved by the NSW Planning and Assessment Commission as delegate of the Minister for Planning. Compliance with the Conditions of Consent issued by the Commission is a legal requirement of the Project.</p> <p>Work that is additional, or a variation of work approved that was assessed and described in the EIS for this project and was not deemed consistent with the approval will require additional assessment under this legislation.</p>	<p>Development consent is required under Part 4 of the EP&amp;A Act.</p> <p>Modifications to the Project may require Approval from PIE</p>	The Client
<b>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</b>	<p>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.</p>	<p>Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</p>	Occupation Certificates	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>Local Land Services Act 2013</b>	<p>The Native Vegetation Act 2003 was repealed on 25 August 2017. Legislation now governing the clearing of native vegetation is the Local Land Services Act 2013, and the Biodiversity Conservation Act 2016.</p> <p>The Local Land Services Amendment Act No 64, Division 3 prescribes the regulation of clearing of native vegetation in regulated rural areas. In Section 600 of the Amendment, clearing of native vegetation in a pitt &amp; herry ref: Suntop Solar EIS - Main document.docx/DP/vg 42 regulated rural area is authorised under Part 4 of the AP&amp;A Act 1979.</p>	<p>As development consent is being sought under Part 4 of the EP&amp;A Act, authorisation for clearing of native vegetation is not required.</p> <p>Landscape Management Plan</p>	<p>None required</p> <p>Suntop Solar EIS - Main document.docx/DP/vg 42 regulated rural area is authorised under Part 4 of the AP&amp;A Act 1979.</p>	BYCA
<b>Biodiversity Conservation Act 2016</b>	<p>The Biodiversity Conservation Act 2016 (BCA Act) aims to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BCA Act replaces the Threatened Species Conservation Act 1995 (TSC Act) as the key piece of legislation that identifies and protects threatened species, populations and ecological communities in NSW.</p>	Biodiversity management Plan approval required from PIE	Approval required from PIE	BYCA
<b>Rural Fires Act 1997</b>	<p>The Rural Fires Act 1997 (Rural Fires Act) provides for the preparation, mitigation and suppression of bush and other fires in local government areas and to provide protection of persons, infrastructure and environment, economic, cultural, agricultural and community assets from damage arising from fire.</p>	<p>Fire Management Plan</p> <p>Emergency management Plan</p> <p>Consult with RMS &amp; Fire &amp; Rescue NSW</p>	Internal BYCA document	BYCA
<b>Roads Act 1993</b>	<p>The Roads Act provides for the classification of roads and for the declaration of the Roads and Maritime Services (RMS) and other public authorities as roads authorities for both classified and unclassified roads. It also regulates the carrying out of various activities in, on and over public roads.</p> <p>Under section 138, the consent of the appropriate roads authority is required to:</p> <ul style="list-style-type: none"> <li>(a) erect a structure or carry out a work in, on or over a public road</li> <li>(b) dig up or disturb the surface of a public road</li> <li>(c) remove or interfere with a structure, work or tree on a public road</li> <li>(d) pump water into a public road from any land adjoining the road</li> </ul> <p>connect a road (whether public or private) to a classified road.</p>	<p>The Project would use one access route from Suntop Road via Renshaw McGirr Way and Showground Roads for its operation and construction.</p> <p>Section 138 approval for work within a public road, Suntop Road access appropriate standard to accommodate the proposed traffic flows during construction and to avoid safety issues.</p> <p>Prior to commencement of construction, the Applicant must upgrade the intersection of Renshaw McGirr Way and Suntop Road, to the satisfaction of the relevant roads authority.</p>	<p>Project works requires approval from Council</p> <p>Roads works permits</p> <p>Traffic Management Plan approval from RMS required</p>	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>Heavy Vehicle National Law (NSW)</b>	Over-dimensional Vehicle Permits under Heavy Vehicle National Law	The Project requires that any over-dimensional vehicles used during construction obtain an Oversize Overmass Permit (OSOM) from the NHVR.	Permit as required	BYCA, Transgid
<b>Water Management Act 2000</b>	<p>The aim of this Act is to ensure that water resources are conserved and properly managed for sustainable use benefiting both present and future generations. It is also intended to provide formal means for the protection and enhancement of the environmental qualities of waterways and in-stream uses, as well as to provide for the protection of catchments.</p> <p>Under Section 91E of the WM Act, an approval is required if a 'controlled activity' is proposed on 'waterfront land.'</p>	<p>Under section 4.41 of the EP&amp;A Act, SSD developments do not require a water use approval under section 89, a water management work approval under section 90 or a controlled activity approval (other than an aquifer interference approval) under section 91 of the WM Act.</p> <p>Even though a Controlled Activity is not required for the works, a buffer will be applied to waterways as determined by Risk Assessment within the proposal site.</p> <p>Waterway crossings and services crossing are required to be designed in accordance with 'Guidelines for Controlled Activities on Waterfront Land' (DPI Water).</p> <p>Groundwater bores onsite may be used during construction of the project. If required, a Water Allocation License (WAL) would be obtained.</p>	Soil and Water management Plan internal BYCA document	BYCA
<b>Heritage Act 1977</b>	<p>This Act provides statutory protection and conservation for heritage places and items. The objects of this Act include promoting, understanding, and encouraging the conservation of the State's heritage and the identification and registration of items of State heritage significance. The Heritage Act details requirements for the protection of non-Aboriginal heritage items.</p> <p>An application under Section 60 must be made to the Heritage Council Office when making changes to a heritage place listed on the State Heritage Register, or when excavating any land in NSW where an archaeological relic may be disturbed.</p>	Under Section 4.41 of the EP&A Act, an approval under Part 4 or a permit under Section 139 of the Heritage Act 1977 would not be required for SSD. Potential impacts on heritage items has been undertaken.	Cultural Heritage Management Plan  Approval by PIE	BYCA



Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b><i>Protection of the Environment Operations Act 1997 (POEO Act)</i></b>	<p>The Act enforces licences and approvals relating to air, water and noise pollution and waste management.</p> <p>Section 148 of this Act requires notification of pollution incidents.</p> <p>Section 120 of this Act provides that it an offence to pollute waters.</p> <p>Schedule 1 of this Act describes activities for which an Environment Protection Licence is required. Under section 48, premises-based scheduled activities (as defined in Schedule 1) require an Environment Protection Licence (EPL).</p>	<p>The Project is not a scheduled activity under section 48 of the POEO Act. Therefore, an EPL is not required.</p> <p>Bouygues Construction Australia will ensure all phases of the Project are managed to prevent pollution and will comply with notification requirements.</p>	None required.	<p>BYCA</p> <p>BYCA Sub-contractors</p>
<b><i>Waste Avoidance and Resource Recovery Act 2001</i></b>	<p>The objectives of this Act are:</p> <ul style="list-style-type: none"> <li>(a) to encourage the most efficient use of resources and to reduce environmental harm in accordance with the principles of ecologically sustainable development,</li> <li>(b) to ensure that resource management options are considered against a hierarchy of the following order: <ul style="list-style-type: none"> <li>i. avoidance of unnecessary resource consumption,</li> <li>ii. resource recovery (including reuse, reprocessing, recycling and energy recovery),</li> <li>iii. disposal,</li> </ul> </li> <li>(c) to provide for the continual reduction in waste generation,</li> <li>(d) to minimise the consumption of natural resources and the final disposal of waste by encouraging the avoidance of waste and the reuse and recycling of waste,</li> <li>(e) to ensure that industry shares with the community the responsibility for reducing and dealing with waste,</li> <li>(f) to ensure the efficient funding of waste and resource management planning, programs and service delivery,</li> <li>(g) to achieve integrated waste and resource management planning, programs and service delivery on a State-wide basis,</li> </ul> <p>to assist in the achievement of the objectives of the <i>Protection of the Environment Operations Act 1997</i>.</p>	<p>Bouygues Construction Australia will address the objectives of this Act in Project design, management document development and throughout construction.</p> <p>A Waste and Energy Management Plan (WEMP) has been developed to minimise wastes.</p>	None required.	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>Biosecurity Act 2015</b>	<p>In relation to weeds, the Act:</p> <ul style="list-style-type: none"> <li>• embeds the principle of shared responsibility for weed risk across government, community and industry;</li> <li>• applies equally to all land and waterways in the state, regardless of whether ownership is public or private;</li> <li>• is premised on the concept of risk, so that weed management investment and response is commensurate with the risk posed; and</li> <li>• supports regional planning and management for weeds</li> </ul> <p>The act includes regulatory tools to manage weed risks.</p> <p>The act establishes a General Biosecurity Duty (GBD): that all plants are regulated with a GBD to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as reasonably practicable.</p> <p>The Central West Regional Strategic Weed Management Plan 2017 - 2022 (RSWMP) (Central West Local Land Services, 2017), utilises the regulatory tools available in the Biosecurity Act to manage weed risks.</p>	The Biodiversity Management Plan (BMP) incorporates protocols for weed, hygiene and pest management.	BMP will be approved by PIE.	BYCA
<b>Biodiversity Conservation Act 2016</b>	This Act relates to the conservation of biodiversity, including establishing requirements for offsetting cleared native vegetation.	<p>Schedule 3 Condition 12</p> <p>The assessment of onsite biodiversity impacts has been undertaken under the provisions of this Act. During construction, there is an obligation to minimise impacts to native vegetation.</p>	Landscape Management Plans, approval from PIE	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>National Parks and Wildlife Act 1974</b>	<p>The NPW Act sets out responsibilities for the care, control and management of all national parks, historic sites, nature reserves, reserves, Aboriginal areas and state game reserves and associated permits and approvals.</p> <p>The Act aims to conserve nature, including habitat, ecosystems, ecosystem processes and biological diversity at the community, species and genetic levels. It also aims to conserve objects, places or features of cultural value, including places, objects and features of significance to Aboriginal people, as well as places of historic, architectural or scientific significance.</p> <p>The Act also provides the basis for legal protection and management of Aboriginal sites within NSW. All Aboriginal objects within the state of NSW are protected under Part 6 of this Act. The implementation of the Aboriginal heritage provisions in the NPW Act is the responsibility of the Office of Environment and Heritage (OEH).</p> <p>Under Section 4.41(d) of the EP&amp;A Act, an Aboriginal Heritage Impact Permit under Section 90 of the National Parks and Wildlife Act 1974 would not be required for a State Significant Development.</p>	Aboriginal heritage will be managed in accordance with the Project approval. If any unrecorded Aboriginal objects are encountered during construction, works will cease immediately in that area and in accordance with section 89(A) of the Act, OEH will be notified.	Cultural Heritage Management Plan approval required by PIE	BYCA BYCA sub-contractors

State Environmental Planning Policies				
Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>State Environmental Planning Policy (State and Regional Development) 2011</b>	Under Schedule 1, Part 20 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) electricity generating works with a capital investment value of more than \$30million or a capital investment of more than \$10 million and located in an environmentally sensitive area of State significance are deemed state significant developments.	The EIS has been prepared in accordance with the SEARs issued by DP&E.	Landscape Plan Cultural Heritage Plan Bio diversity plan Traffic Plan PIE & RMS	BYCA
<b>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</b>	<p>This policy recognises the importance of mining, petroleum production and extractive industries to NSW.</p> <p>This policy aims to:</p> <ul style="list-style-type: none"> <li>• Provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State</li> <li>• Facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources</li> <li>• Establish a gateway assessment process for certain mining and petroleum (oil and gas) development: <ul style="list-style-type: none"> <li>-To recognise the importance of agricultural resources, and</li> <li>-To ensure protection of strategic agricultural land and water resources, and</li> <li>-To ensure a balanced use of land by potentially competing industries, and</li> <li>-To provide for the sustainable growth of mining, petroleum and agricultural industries.</li> </ul> </li> </ul> <p>Identify if the land is located on or near:</p> <ul style="list-style-type: none"> <li>• State or regionally significant resources of minerals, petroleum, or extractive materials</li> <li>• extraction related activities on surrounding land which will be affected</li> <li>• biophysical strategic agricultural land</li> <li>• any mining licences.</li> </ul>	A very small section of the south-western corner of the Site is subject to Exploration Licence 8463 (EL8463). Consultation with the Licence holder has taken place as required under the SEARS and is detailed in Section 5 of the EIS.	None required	BYCA

Controlling Legislation	Legislation Requirement	Application to the Project	Approvals/ Permits/ Licenses	Responsibility to comply
<b>State Environmental Planning Policy No. 44 – Koala Habitat Protection</b>	<p>This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. This policy achieves this aim by:</p> <ul style="list-style-type: none"> <li>• Requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat</li> <li>• Encouraging the identification of areas of core koala habitat</li> <li>• Encouraging the inclusion of areas of core koala habitat in environment protection zones.</li> </ul>	Three of the remnant eucalypt species on and around the Subject Land are recognised as secondary Koala food trees (OEH, 2018e), these being, Inland Grey Box, Fuzzy Box and White Box. The last of these is listed as a Koala feed tree in Schedule 2 of SEPP 44. However, the Site does not have an extant Koala population (Biosphere Environmental Consultants, 2018) and is not classified as 'core' Koala habitat, therefore a SEPP 44 plan of management is not required	Landscape Plan	BYCA
<b>Wellington Local Environment Plan (2012)</b>	The Proposal is located within the Dubbo Local Government Area (LGA) and the relevant local planning instrument is the Wellington Local Environmental Plan (LEP) 2012.	The Site contains three items of Aboriginal cultural significance which are located outside the proposed footprint for development. The Wellington Local Aboriginal Land Council (WLALC) have supplied a report outlining their agreement to the proposal with the recommendation of protecting these items through their inclusion and listing in a Construction Environmental Management Plan (CEMP).	Cultural Heritage Management Plan	BYCA

## APPENDIX C EMS CONSULTATION SUMMARY

### Planning and Industry response 27 February 2020

Management Plan Name, condition, schedule	Satisfactory (Yes/No/Partial)	Comment	Action Required	Company Response
Prior to the commencement of 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;	Partial	<ul style="list-style-type: none"> <li>Section 1.3 only refers to CEMP and sub-plans, but does not refer to all plans required under the consent.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to all plans required under the consent and provide details of any management plans that Suntop Solar Farm (SSF) committed to prepare and implement in the EIS.</li> <li>Explain how these plans fit into the strategic framework for environmental management of the development.</li> </ul>	<ul style="list-style-type: none"> <li>Section 1.3 has been updated to include all plans listed in the EIS including sub plans of the EMP developed by BYCA.</li> <li>Section 1.3 has been restructured to provide the reader with an overview of the strategic structure and hierarchy of the strategy of the EMS</li> </ul>

(b) identify the statutory approvals that apply to the development	Partial	<ul style="list-style-type: none"> <li>Appendix B: Environmental Legislation lists a range of legislation (some not relevant)</li> </ul>	Identify the statutory approvals, including but not limited to: <ul style="list-style-type: none"> <li>development consent and relevant conditions of consent</li> <li>SSF's statement of commitments.</li> <li>Permits under the Roads Act 1993, the Local Government Act 1993 etc.</li> <li>Over-dimensional Vehicle Permits under Heavy Vehicle National Law, Construction and Occupation Certificates etc.</li> <li>Don't include legislation that is not relevant to the project.</li> </ul>	<ul style="list-style-type: none"> <li>Table 2.2</li> <li>SoC Refer to table 5.1</li> <li>Updated Appendix B to include reference to Road Permits</li> <li>Removed Fisheries Act, Mines Act Crown Lands Act</li> <li>Added Legislation referenced in EIS</li> </ul>
(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development	Yes	<ul style="list-style-type: none"> <li>Section 4.1 details the roles, responsibility, authority and accountability of the EPC contractors and O&amp;M staff.</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>No action required</li> </ul>
(d) describe the procedures that would be implemented to: <ul style="list-style-type: none"> <li>keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>receive, handle, respond to, and record complaints;</li> <li>resolve any disputes that may arise;</li> <li>respond to any non-compliance;</li> <li>respond to emergencies</li> </ul>	Partial	<ul style="list-style-type: none"> <li>Section 4.4 internal and external communications</li> <li>Section 4.4.3 details stakeholder and community consultation and full details being contained in Project's Community Consultation Plan</li> <li>Section 4.4.4 and Appendix C detail the receipt, handling, response and recording of complaints</li> <li>Section 5.1 – non-compliance</li> <li>Section 4.7 details Emergency preparedness and incident reporting</li> <li>5.3 details non-compliance, corrective and preventative action reporting</li> <li>No reference to dispute resolution</li> </ul>	Provide information detailing the procedure that would be implemented to: <ul style="list-style-type: none"> <li>resolve any disputes that may arise</li> <li>response to any non-compliance (as defined by the consent)</li> <li>Define incident and non-compliance as per definition in consent</li> </ul>	<ul style="list-style-type: none"> <li>Section 4.4.5 Dispute Resolution has been added</li> <li>Section 4.4.3 has been updated to provide clarification of Non Compliance Notification</li> <li>Section 4.7.2 has been updated to provide clarification on Notifiable Incidents</li> </ul>
(e) include: <ul style="list-style-type: none"> <li>references to any plans approved under the conditions of this consent; and</li> <li>a clear plan depicting all the</li> </ul>	Partial	<ul style="list-style-type: none"> <li>Section 4.2 identifies the plans and approval requirements, but not detail on current status</li> <li>Section 5.2 details monitoring and reporting as required under the</li> </ul>	<ul style="list-style-type: none"> <li>Status of plans should be clear. If the plan is not approved, state that it still needs to be approved.</li> </ul>	<ul style="list-style-type: none"> <li>Column added to Table 4.2 to provide status of plans</li> </ul>

monitoring to be carried out in relation to the development		conditions of consent and statement of commitments		
<b>General comments:</b>				
Add a figure showing the project location and layout				<ul style="list-style-type: none"> <li>• Figure 1 added</li> </ul>