

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

The Independent Planning Commission of NSW grants consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

[Name of Commissioner]
Member of the Commission

[Name of Commissioner]
Member of the Commission

[Name of Commissioner]
Member of the Commission

SCHEDULE 1

Application Number: SSD 50725959
Applicant: Dinawan Energy Hub Pty Ltd
Consent Authority: The Independent Planning Commission
Site: See Appendix 1
Development: Dinawan Solar Farm

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DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development, including any Registered Aboriginal Parties
AG DCCEEW	The Australian Government Department of Climate Change, Energy, the Environment and Water
Ancillary infrastructure	All project infrastructure with the exception of solar panels, including but not limited to collector substations, switching stations, permanent offices, battery storage, site compounds, electricity transmission lines, internal roads and the accommodation camp
Applicant	Dinawan Energy Hub Pty Ltd or any person who seeks to carry out the development approved under this consent
AUL(s)	Auxiliary Left Turn (short)
BAL	Basic Left Turn
Battery Storage	Large scale energy storage system
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
CHR(s)	Channelised Right Turn (short)
Commissioning	The testing of the components, equipment and systems of the development following completion of construction, prior to operations commencing
Conditions of this consent	Conditions contained in Schedule 2
Consent authority	NSW Independent Planning Commission
Construction	The construction of the development, including but not limited to, the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network and pre-construction minor works)
Council	Murrumbidgee Shire Council
CPHR	Conservation Programs, Heritage & Regulation Group of the NSW DCCEEW
Decommissioning	The removal of solar panels and ancillary infrastructure and/or rehabilitation of the site
Department	Department of Planning, Housing and Infrastructure
Development	The development as described in the EIS
Development footprint	The area within the site on which the components of the project will be constructed (shown in Appendix 1)
EIS	The Environmental Impact Statement for Dinawan Solar Farm dated 1 November 2023, Submissions Report dated 13 September 2024, Amendment Report 1 dated 13 September 2024, Amendment Report 2 dated 26 November 2025, and the additional information dated 22 October 2024, 28 November 2024, 10 December 2024, 12 December 2024, 28 February 2025, 21 March 2025, 9 April 2025, 7 November 2025 and 16 December 2025
Emergency vehicles	As defined by the <i>Road Rules 2014</i>
Enabling works area	Areas identified in Appendix 8 as 'Early works area'
EnergyCo	Energy Corporation of NSW
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPA	NSW Environment Protection Authority
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
FERP	Flood Emergency Response Plan
Fire break	An area maintained as mineral earth and/or gravelled and/or paved and/or only grass that is managed to a maximum height of 10 centimetres (i.e. no vegetation greater than 10 centimetres)
FRNSW	Fire and Rescue NSW
Heavy vehicle	As defined by the <i>Heavy Vehicle National Law (NSW)</i> , but excluding light and medium rigid trucks and buses no more than 8 tonnes and with not more than 2 axels
Heavy vehicle requiring escort	Any vehicle that requires a pilot vehicle and/or escort vehicle, as defined by the National Heavy Vehicle Regulator's <i>NSW Class 1 Load Carrying Vehicle Operator's Guide</i> or an NSW exemption notice on the NHVR website and including High risk heavy vehicles requiring escort.
Heritage NSW	Heritage NSW Group within the NSW DCEEW
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
High-risk heavy vehicle requiring escort	A vehicle under escort identified "high risk" as defined in Table 1 of TfNSW's <i>Fact Sheet for Transport Management Plan</i> (as amended).
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not

Light vehicle	be or cause a non-compliance As defined by the Transport for NSW Vehicle Standards Information Sheet <i>VSI 05 Light vehicle dimension limits Rev 6</i> (TfNSW, 11 March 2015)
Material harm	Is harm that: <ul style="list-style-type: none"> • involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or • results in actual 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). <p><i>Note: This definition excludes "harm" that is either authorised under this consent or any other statutory approval.</i></p> <p><i>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</i></p>
Maximum Energy Discharge Capacity (MW)	Is the rated output active power as defined by 4.3.5 of <i>IEC 62933-1 Ed. 2.0 b:2024, Electrical energy storage (EES) systems—Part 1</i>
Maximum Energy Storage Capacity (MWh)	Is the Effective Energy Storage Capacity at the Beginning of Service Life as described by Figure 1 of <i>IEC 62933-1 Ed. 2.0 b:2024, Electrical energy storage (EES) systems—Part 1</i>
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Minister	Minister for Planning and Public Spaces, or delegate
MW	Megawatt
MWh	Megawatt-hour
Non-associated residence	A dwelling in existence at the date of this consent which is not associated with the development
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
NSW DCCEEW Operation	NSW Department of Climate Change, Energy, the Environment and Water The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
PCT	Plant Community Type
Planning Secretary	Secretary of the Department, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Pre-construction minor works	Includes the following activities: <ul style="list-style-type: none"> • artefact surveys and/or salvage; • overhead line safety marking; • building and road dilapidation surveys; • geotechnical drilling, excavation or salvage; • establishing temporary site office (in locations meeting the criteria identified in the conditions of this consent) • installation of environmental impact mitigation measures, fencing and enabling works; and • construction of minor access roads and minor adjustments to services/utilities, etc.
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residence	A dwelling existing at the date of this consent
RFS	NSW Rural Fire Service
Site	The area identified as 'Project area' as shown in Appendix 1 and listed in Appendix 2
Solar and BESS component	Solar arrays, battery energy storage system, operational buildings, road upgrades, transmission connection, construction compound and storage laydown areas not used for the accommodation camp
Stage 1	Areas identified in Appendix 8 as Stage 1
Stage 2	Areas identified in Appendix 8 as Stage 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces

TfNSW
Upgrading

Vehicle movement
VPA
Water Group

Transport for New South Wales
The replacement of solar panels and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent
One vehicle entering and leaving the site
Voluntary Planning Agreement
Water Group within the NSW DCCEEW

RECOMMENDED

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, commissioning, operation, upgrading, decommissioning or rehabilitation of the development.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) generally in accordance with the EIS; and
 - (d) generally in accordance with the Development Layout in Appendix 1.
- A3. The Applicant must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:
- (a) any strategies, plans or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

BATTERY STORAGE RESTRICTION

- A5. Unless the Planning Secretary agrees otherwise, the battery storage facility or system associated with the development must not exceed a Maximum Energy Discharge Capacity of 356 MW and a Maximum Energy Storage Capacity of 1,574 MWh.

Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to increase the capacity of the battery storage in the future.

UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE

- A6. The Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site and the maximum energy discharge and storage capacity prescribed in A5. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Planning Secretary incorporating the proposed upgrades.

STRUCTURAL ADEQUACY

- A7. The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the *Building Code of Australia*.

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the development.
- EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.

DEMOLITION

- A8. The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: *The Demolition of Structures*, or its latest version.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A9. The Applicant must consult with Transgrid during detailed design of the project, and in relation to any upgrades or changes to the project design that may impact the Victoria to New South Wales Interconnector West project and the Project Energy Connect East project. The Applicant must ensure that Transgrid easements for the Victoria to New South Wales Interconnector West project and the Project Energy Connect East project are appropriately allocated, protected and not compromised by the project.
- A10. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:
- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
 - (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

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

OPERATION OF PLANT AND EQUIPMENT

- A11. The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

SUBDIVISION

- A12. The Applicant may subdivide land comprising the site for the purposes of carrying out the development as generally identified in Appendix 3 and in accordance with the requirements of the EP&A Act, EP&A Regulation and the *Conveyancing Act 1919* (NSW).

Notes:

- Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision
- Division 6.4 of Part 6 of the EP&A Act sets out the application requirements for subdivision certificates.

APPLICABILITY OF GUIDELINES

- A13. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.

However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

COMPLIANCE

- A14. The Applicant must ensure that all of its employees and contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

EVIDENCE OF CONSULTATION

- A15. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of the consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

COMMUNITY ENHANCEMENT

- A16. Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must enter into a Voluntary Planning Agreement (VPA) with Council in accordance with:
- (a) Division 7.1 of Part 7 of the EP&A Act; and
 - (b) the terms of the Applicant's letter of offer dated 18 December 2025, as detailed in Appendix 4.

RECOMMENDED

PART B ENVIRONMENTAL CONDITIONS - GENERAL

TRANSPORT

Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions

- B1. The Applicant must ensure that the:
- (a) development does not generate more than:
 - (i) 167 heavy vehicle movements a day (a maximum of 18 heavy vehicle movements per hour) during construction, upgrading or decommissioning;
 - (ii) 17 movements of heavy vehicles requiring escort (including up to 4 high-risk heavy vehicles requiring escort) during construction, upgrading or decommissioning; and
 - (b) length of any vehicles (excluding high-risk heavy vehicles requiring escort) used for the development does not exceed 26 metres,
- unless the Planning Secretary agrees otherwise.
- B2. The Applicant must keep accurate records of the number of high-risk heavy vehicles requiring escort, heavy vehicles requiring escort and heavy vehicles entering or leaving the site each day for the duration of the project.

Access Route

- B3. Unless the Planning Secretary agrees otherwise:
- (a) all heavy vehicles and heavy vehicles requiring escort (excluding high-risk heavy vehicles requiring escort) associated with the development must travel to and from the site via the routes as described in the EIS and identified in Appendix 5;
 - (b) all high-risk heavy vehicles requiring escort associated with the development must travel the route from Port Kembla to and from the site via Tom Thumb Road, Springhill Road, Masters Road, Princes Motorway, Mt Ousley Road, Picton-Wilton Road, Hume Highway, Sturt Highway, Newell Highway and Kidman Way as described in the *Amended Traffic Impact Assessment – Dinawan Solar Farm dated 24 November 2025* and identified in Appendix 6; and
 - (c) all vehicles associated with the development must avoid the use of:
 - (i) Liddles Lane; and
 - (ii) Bundure Road east of Bundure Road eastern site access (as identified in the EIS and Appendix 5).

Note: Other access routes may be used for emergency purposes.

- B4. Prior to the use of heavy vehicles requiring escort on the public road network, all relevant approvals must be obtained and implemented, including for any road upgrades that may be required from point of origin to the Newell Highway/Kidman Way intersection.

Site Access

- B5. All vehicles associated with the development must enter and exit the site via:
- (a) the site access points off Kidman Way; or
 - (b) the site access points off Bundure Road (excluding heavy vehicles requiring escort and high-risk heavy vehicles requiring escort),
- as described in the EIS and identified in Appendix 1.

Note: Other site access points may be used for emergency purposes.

Road Upgrades

- B6. Unless the Planning Secretary agrees otherwise, prior to commencing:
- (a) pre-construction minor works or construction works (whichever comes first), the Applicant must complete the road upgrades detailed in Table 1 of Appendix 7; and
 - (b) the use of high risk heavy vehicles requiring escort on the public road network, the Applicant must complete the road upgrades detailed in Table 2 of Appendix 7.

Unless the relevant roads authority agrees otherwise, these upgrades must comply with the current *Austrroads Guidelines to Road Design* (as amended by TfNSW supplements), and be carried out to the satisfaction of the relevant roads authority.

Road Maintenance

- B7. The Applicant must, in consultation with the relevant roads authority:
- (a) undertake an independent dilapidation survey and report to assess the condition of Bundure Road, between Kidman Way and 50 metres past the Bundure Road eastern access point and Liddles Lane to the extent it is upgraded under condition B6, following any upgrades in accordance with condition B6, and prior to construction, upgrading or decommissioning activities; and
 - (b) repair and/or make good any development-related damage to Bundure Road, between Kidman Way and 50 metres past the Bundure Road eastern access point and Liddles Lane to the extent it is upgraded under condition B6, (including road drainage infrastructure) identified in dilapidation surveys during construction, upgrading or decommissioning works in consultation with the relevant road authority.

If there is a dispute about road repair between the Applicant and the relevant roads authority, then either party may refer the matter to the Planning Secretary for resolution.

Operating Conditions

- B8. The Applicant must ensure:
- (a) the internal roads are constructed or upgraded as all-weather roads;
 - (b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;
 - (c) the capacity of the existing roadside drainage network is not reduced;
 - (d) all vehicles are loaded and unloaded on-site, and enter and leave the site in a forward direction; and
 - (e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked off site.

Traffic Management Plan

- B9. Prior to commencing pre-construction minor works or road upgrades (whichever comes first), the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, EnergyCo and Council, and to the satisfaction of the Planning Secretary. Unless the Planning Secretary agrees otherwise, this plan must include:
- (a) details of the transport route(s) to be used for all development-related traffic, including details of the chosen high-risk heavy vehicle requiring escort vehicle configuration;
 - (b) details and timing of the road upgrade works required by condition B6 of this consent;
 - (c) a reconciliation table to demonstrate all traffic-related management measures and recommendations identified in the EIS have been included in the plan;
 - (d) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including
 - (i) details of the dilapidation surveys required by condition B7 of this consent;
 - (ii) details of consultation with landholders regarding stock and farm traffic movements along the local road network used by the development;
 - (iii) temporary traffic controls, including detours and signage;
 - (iv) notifying the local community about development-related traffic impacts;
 - (v) procedures for receiving and addressing complaints from the community about development-related traffic;
 - (vi) minimising potential for conflict with school buses and other road users as far as practicable, including preventing queuing on the public road network;
 - (vii) minimising potential cumulative traffic impacts with other projects in the area during construction, upgrading or decommissioning works;
 - (viii) minimising dirt tracked onto the public road network from development-related traffic;
 - (ix) measures for managing light vehicle peak numbers and vehicle movements to ensure the distribution of traffic is consistent with the EIS;
 - (x) details and volume of the employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, measures to encourage employee use of this services, and monitoring measures;

- (xi) measures to minimise vehicle movements, as far as practicable, including prioritising full loads and encouraging car-pooling or ride sharing by employees;
 - (xii) scheduling of vehicle movements during day time hours, as far as practicable;
 - (xiii) scheduling of heavy vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;
 - (xiv) responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;
 - (xv) measures to minimise dust generated by construction traffic;
 - (xvi) responding to any emergency repair or maintenance requirements;
 - (xvii) a traffic management system for managing heavy vehicles requiring escort (including high-risk heavy vehicles requiring escort); and
 - (xviii) mitigation measures to ensure that the rest area on Kidman Way near its intersection with Newell Highway will be clear in advance of high-risk heavy vehicles requiring escort movements.
- (e) a driver's code of conduct that addresses:
- (i) driver fatigue;
 - (ii) procedures to ensure that drivers, including employees, contractors and sub-contractors, using private vehicles adhere to the designated transport routes and speed limits; and
 - (iii) procedures to ensure that drivers implement safe driving practices;
- (f) a program to ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan; and
- (g) a flood response plan detailing procedures and options for safe access to and from site in the event of flooding.

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

LAND MANAGEMENT

B10. The Applicant must maintain the agricultural land capability of the site, including:

- (a) establishing ground cover within the development footprint within 3 months following completion of construction or upgrading;
 - (b) properly maintaining the ground cover within the development footprint with appropriate perennial species and weed management; and
 - (c) maintaining grazing within the development footprint, where practicable, and as agreed with the owner of the land (other than the Applicant),
- unless the Planning Secretary agrees otherwise.

BIODIVERSITY

Vegetation Clearance

B11. The Applicant must not clear any native vegetation or fauna habitat located outside the approved development footprint as described in the EIS.

Biodiversity Offsets

- B12. Prior to carrying out each stage of the development, as identified in Table 1, that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must retire biodiversity credits of a number and class specified in Table 2 and Table 3 for the applicable stage. The retirement of these credits must be carried out in accordance with the NSW *Biodiversity Offsets Scheme* and can be achieved by:
- (a) acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
 - (b) making payments into an offset fund that has been developed by the NSW Government; and/or
 - (c) funding a biodiversity conservation action that benefits the entity impacted and is listed in the ancillary rules of the biodiversity offset scheme.

Table 1 | Timing for retirement of Biodiversity credits

Project Stage	BAM-C Case Identifier	Location
Enabling Works	00034896/BAAS17051/24/00050987, Assessment revision 3	The areas identified as 'Early works area' in Appendix 8
Stage 1	00034896/BAAS17051/24/00050988, Assessment revision 6	The areas identified as 'Stage 1' in Appendix 8
Stage 2	00034896/BAAS17051/24/00050989, Assessment revision 4	The areas identified as 'Stage 2 in Appendix 8

Table 2 | Ecosystem credit requirements

Plant Community Type	Ecosystem Credits Required		
	Enabling Works	Stage 1	Stage 2
PCT 13 - Black Box - Lignum woodland wetland of the inner floodplains in the semi-arid (warm) climate zone (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	0	4	0
PCT 15 - Black Box open woodland wetland with chenopod understorey mainly on the outer floodplains in south-western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	0	0	5
PCT 17 - Lignum shrubland wetland of the semi-arid (warm) plains (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	0	26	10
PCT 26 - Weeping Myall open woodland of the Riverina Bioregion and NSW South Western Slopes Bioregion	223	10,295	15,049
PCT 45 - Plains Grass grassland on alluvial mainly clay soils in the Riverina Bioregion and NSW South Western Slopes Bioregion	0	0	3
PCT 46 - Curly Windmill Grass - speargrass - wallaby grass grassland on alluvial clay and loam on the Hay Plain, Riverina Bioregion	0	91	2

Table 3 | Species credit requirements

Species	Ecosystem Credits Required		
	Enabling Works	Stage 1	Stage 2
Southern Bell Frog (<i>Litoria raniformis</i>)	5	1,350	293
Slender Darling Pea (<i>Swainsona murrayana</i>)	0	482	0
Silky swainsona-pea (<i>Swainsona sericea</i>)	0	523	32

- B13. Prior to carrying out any development that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that the applicable biodiversity credits for the relevant stage have been retired.

Biodiversity Management Plan

- B14. Prior to carrying out any development that could directly or indirectly impact biodiversity values, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with CPHR and AG DCCEEW, and to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced biodiversity expert/s;
 - (b) be prepared in accordance with the amended Biodiversity Development Assessment Report – Dinawan Solar Farm dated 24 November 2025;
 - (c) include a description of the measures and timeframes that would be implemented for;
 - (i) protecting vegetation and fauna habitat outside the approved development footprint;
 - (ii) managing and enhancing the remnant vegetation and fauna habitat on site;
 - (iii) minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;
 - (iv) minimising the impacts to fauna on site and implementing fauna management protocols, including the design of security fencing;
 - (v) avoiding the removal of hollow-bearing trees during Spring and/or the main breeding period for hollow-dependent fauna;
 - (vi) rehabilitating and revegetating temporary disturbance areas with native species that are appropriate to the site's ecology and conditions;
 - (vii) maximising the salvage of vegetative and soil resources within the approved development footprint for beneficial reuse in the enhancement or the rehabilitation of the development footprint; and
 - (viii) controlling weeds, feral pests and pathogens, having regard to the actions in relevant Threat Abatement Plans;
 - (d) include a program to monitor and report on the effectiveness of mitigation measures and report to CPHR following each annual reporting window;
 - (e) include an incidental threatened species finds protocol outlining the steps to identify any threatened species and/or their habitat on the site, along with options to avoid, minimise, or offset potential impacts to those threatened species; and
 - (f) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

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

HERITAGE

Protection of Heritage Items

- B15. The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified Table 1 of Appendix 9, or any Aboriginal heritage items located outside the approved development footprint.

Heritage Management Plan

- B16. Prior to commencing construction or any works that could directly or indirectly impact any Aboriginal heritage items (whichever comes first), the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Planning Secretary in writing;
 - (b) be prepared in consultation with the Aboriginal stakeholders and reviewed by Heritage NSW;
 - (c) include a description of:
 - (i) the reasonable and feasible measures that would be implemented for avoiding harm to Aboriginal objects/sites located outside the approved development footprint, including fencing off the Aboriginal heritage items identified in Table 1 of Appendix 9 where reasonable and feasible, prior to commencing construction, and periodic monitoring of the effectiveness of protective mechanisms;
 - (ii) further investigation and assessment of DEHS-2023-H4 if the site cannot be avoided, including cultural monitoring of the further investigation and assessment in accordance with recommendations in the

Amended Aboriginal Cultural Heritage Assessment Report – Dinawan Solar Farm dated 12 August 2024
(where harm to the site can be avoided, it must be protected in accordance with (i) above);

- (iii) the procedure for salvage of the Aboriginal objects located within the approved development footprint via surface collection, as identified in Table 2 of Appendix 9 (where harm to these sites can be avoided, they must be protected in accordance with (i) above);
 - (iv) the procedure for salvage via excavation of DEHS-2023-HAS4, including suitable collection and processing of stone artefacts, and chronological, soil and environmental samples for excavations;
 - (v) ongoing consultation with Aboriginal stakeholders, including consultation regarding changes to the Heritage Management Plan;
 - (vi) the procedure for assessing significance of Aboriginal objects identified during the monitoring and salvage excavation, with special consideration for those of high significance;
 - (vii) short-term and long-term management of any Aboriginal objects collected during the test excavation or salvaged under the Heritage Management Plan;
 - (viii) post-excavation analysis and reporting of the archaeological investigations;
 - (ix) preparing Aboriginal Site Impact Recording Form/s (ASIRF) for all Aboriginal heritage sites following construction activities with ASIRFs to be submitted to the Aboriginal Heritage Information Management System registrar;
 - (x) a procedure for the management of unexpected relics and human remains in accordance with guidelines and standards prepared by Heritage NSW that includes:
 - the development of a detailed historical archaeological assessment in the event an unexpected relic is identified, in accordance with the *Archaeological Assessment Guidelines* (DUAP, 1996) and *Assessing Significance for Historical Archaeological Sites and 'Relics'* (Heritage Branch of the Department of Planning, 2009); and
 - if harm cannot be avoided to the relic in whole or part, preparation of an Archaeological Research Design and Excavation Methodology with a nominated Excavation Director, in consultation with Heritage NSW;
 - (xi) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
 - (xii) ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and
- (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

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

AMENITY

Visual

B17. The Applicant must:

- (a) limit the angle of solar panel backtracking in accordance with *Glint and Glare Assessment Results Attachment B -Scenario 2* presented in the EIS, unless the Planning Secretary agrees otherwise;
- (b) minimise the off-site visual impacts of the development, including the potential for any glare or reflection;
- (c) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and
- (d) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

Lighting

B18. The Applicant must:

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

Construction, Upgrading and Decommissioning Hours

- B19. Unless the Planning Secretary agrees otherwise, the Applicant may only undertake road upgrades, construction, upgrading, commissioning or decommissioning activities between:
- (a) 7 am to 6 pm Monday to Friday;
 - (b) 8 am to 1 pm Saturdays; and
 - (c) at no time on Sundays and NSW public holidays.

Exceptions to Construction Hours

- B20. The following activities may be carried out outside the hours specified in condition B19 above:
- (a) activities that are inaudible at non-associated residences;
 - (b) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or
 - (c) emergency work to avoid the loss of life, property or prevent material harm to the environment.

Variation of Construction Hours

- B21. The hours of construction activities specified in condition B19 of this approval may be varied with the prior written approval of the Planning Secretary. Any request to alter the hours of construction must be:
- (a) considered on a case-by-case or activity-specific basis;
 - (b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
 - (c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of Councils (and other relevant agencies) has been or will be undertaken;
 - (d) accompanied by evidence that all feasible and reasonable noise mitigation and traffic management measures have been put in place; and
 - (e) accompanied by a construction method statement consistent with the requirements of the *Interim Construction Noise Guideline* (DECC, 2009), or latest version.

Construction Noise and Vibration Management Plan

- B22. Prior to commencing construction the Applicant must prepare a Construction Noise and Vibration Management Plan. The plan must:
- (a) include measures to ensure the requirements in conditions B19 to B21 (inclusive) are complied with;
 - (b) include a description of the reasonable and feasible measures that would be implemented to minimise noise and vibration impacts of the development;
 - (c) include a detailed description of the noise and vibration management system for the development;
 - (d) include a protocol for the identification, notification and management of works that exceed the noise management levels; and
 - (e) include a monitoring program that evaluates and reports on the effectiveness of the noise and vibration management system.

The Applicant must implement the Construction Noise and Vibration Management plan for the duration of construction.

Noise

- B23. The Applicant must:
- (a) minimise the noise generated by any pre-construction, construction, upgrading or decommissioning activities on site in accordance with best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009) or its latest version; and
 - (b) take all reasonable and feasible steps to minimise operational noise and ensure that the noise generated by the operation of the development does not exceed the noise limits in Table 4 below to be determined in accordance with the procedures in the *NSW Noise Policy for Industry* (EPA, 2017) at all non-associated residences, unless the Planning Secretary agrees otherwise.

Table 4 | Operational Noise Limit Requirements

Location	Noise Limits in dB(A)			
	Day	Evening	Night	Night
	L _{Aeq} (15min)	L _{Aeq} (15min)	L _{Aeq} (15min)	L _{Afmax}
Non-associated residences	40	35	35	52

Dust

- B24. The Applicant must minimise the dust generated by the development including measures ensuring:
- activities are carried out on site in a manner that minimises dust generation, including emissions of windblown and/or traffic generated dust;
 - development-related vehicles leaving the site:
 - have any loads covered; and
 - minimise dirt being tracked onto the public road network; and
 - the use of water tankers to spray the surface of unsealed roads when practicable and appropriate.

SOIL AND WATER**Water Supply**

- B25. The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.

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

Water Pollution

- B26. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.

Operating Conditions

- B27. The Applicant must:
- minimise any soil erosion and control sediment generation;
 - ensure any solar panels, the battery storage system, accommodation camp, ancillary infrastructure, and any other land disturbance associated with the construction, upgrading or decommissioning of the development, have appropriate drainage and erosion and sediment controls designed, installed and maintained in accordance with the relevant requirements in the *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) and the *Managing Urban Stormwater: Soils and construction - Volume 2A manual* (Landcom, 2008,) or their latest versions;
 - ensure the solar panels, the battery storage system, accommodation camp, ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site;
 - ensure the solar panels, the battery storage system, accommodation camp, ancillary infrastructure are designed, constructed and maintained to prevent detrimental impacts on surface water, localised flooding and groundwater;
 - ensure the solar panels, the battery storage system, accommodation camp, ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion or increased water pooling on site;
 - ensure the site access is designed, constructed and maintained in accordance with flood resilient design considerations;
 - ensure all crossings of the Coleambally Irrigation Channel are designed, constructed and maintained in consultation with Coleambally Irrigation Co-operative Limited;
 - all activities on waterfront land are designed and constructed in accordance with the Guidelines for Controlled Activities on Waterfront Land (2025), Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003) and the Policy and Guidelines for Fish Habitat and Conservation

and Management (NSW Fisheries, 2013), unless Water Group agrees otherwise.

Soil and Water Management Plan

- B28. Prior to commencing construction, the Applicant must prepare a Soil and Water Management Plan for the development in consultation with the Water Group. This plan must:
- (a) be prepared by suitably qualified and experienced persons;
 - (b) include a description of the measures that would be implemented to ensure that the objectives of condition B27 (a) – (h) above are achieved;
 - (c) include a program to monitor and report on the effectiveness of these measures; and
 - (d) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

The Applicant must implement the Soil and Water Management Plan.

Unexpected Finds

- B29. An Unexpected Finds Procedure for contamination must be prepared before the commencement of construction and implemented throughout construction. The procedure must:
- (a) be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered; and
 - (b) include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved.

HAZARDS

Fire Safety Study

- B30. A fire safety study must be prepared for the development. The study must:
- (a) be prepared and submitted to the Planning Secretary for approval prior to commencing construction of the battery storage facility (including associated foundations and cabling)
 - (b) be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline and FRNSW's *Fire Safety Guideline Technical Information – Large scale external lithium-ion battery energy storage systems – Fire safety study considerations*;
 - (c) describe the final design of the battery storage facility;
 - (d) include the credible worst-case fire scenario to and from the battery storage facility and associated fire management procedures; and
 - (e) identify measures to eliminate the expansion of any fire incident including:
 - (i) adequate fire safety systems and appropriate water supply;
 - (ii) separation and / or compartmentalisation of battery units; and
 - (iii) strategies and incident control measures specific to the battery storage facility design.

Unless otherwise agreed by the Planning Secretary, construction of the battery storage facility must not commence until the Planning Secretary has received evidence that FRNSW has confirmed in writing that the Fire Safety Study meets the requirements of condition B30, and the study has been approved by the Planning Secretary. The fire safety study must be implemented, as approved by the Planning Secretary

Storage and Handling of Dangerous Goods

- B31. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B32. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquid.

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

Operating Conditions – Solar and Battery Storage

B33. The development must:

- (a) provide a trafficable fire break around the perimeter of the solar arrays, BESS, O&M facilities and substation, as shown in Appendix 1, that permits unrestricted vehicle access and movement, with a minimum width of 10 metres;
- (b) be managed as per the Asset Protection Zone standards in accordance with *Planning for Bushfire Protection* (RFS, 2019, or equivalent);
- (c) provision of a safe refuge within the accommodation facility; and
- (d) include provision for a minimum 20,000 litre water supply tank(s) fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to an internal road.

The Asset Protection Zones (including fire break) must be maintained for the life of the project and located wholly within the site.

Operating Conditions – Accommodation Camp

B34. For the accommodation camp, the Applicant must:

- (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
- (b) ensure that the development:
 - (i) provides internal roads and utilities in accordance with the requirements of the *Bushfire Assessment Report prepared by Waratah Bushfire dated 23 October 2023*;
 - (ii) provides a trafficable fire break around the perimeter of the accommodation camp; and
 - (iii) is managed as per the Asset Protection Zone standards in accordance with *Planning for Bushfire Protection* (RFS, 2019, or equivalent);
- (c) assist the RFS, FRNSW and emergency services as much as practicable if there is a fire in the vicinity of the site; and
- (d) notify the relevant local emergency management committee following completion of construction of the development, and prior to commencing operations.

Flood Management

B35. Prior to commencing construction (including construction of the Accommodation Camp), the Applicant must prepare a Flood Emergency Response Plan (FERP) for the site. The FERP must:

- (a) be prepared by suitably qualified and experienced persons;
- (b) address the relevant provisions of the Floodplain risk management manual (DPE, 2023) and Support for emergency management planning – Flood Risk Management Guideline EM01 (DPE, 2023);
- (c) consider the impact of flooding from the adjacent Delta Creek;
- (d) consider isolation, access and evacuation during extreme events up to and including the probable maximum flood;
- (e) be consistent with the Local Flood Plan and/or the State Emergency Service flood emergency strategy for the area; and
- (f) include details of:
 - (i) the flood emergency responses for the development;
 - (ii) predicted flood levels, including probable maximum flood;
 - (iii) shelter in place protocols for all relevant flooding events (if necessary);
 - (iv) awareness training for employees and contractors;
 - (v) protocols for advising site employees and visitors to stay away from the site during flood events;
 - (vi) flood warning time, flood notification, signs and depths indicators;
 - (vii) evacuation protocols including assembly points and evacuation routes (where applicable); and
 - (viii) provisions for periodic review of the plan, including following a significant flooding event.

- (g) The Applicant must:
- (i) Submit a copy of the FERP required by condition B35 to the Planning Secretary and Council prior to commencing construction; and
 - (ii) Implement the most recent version of the FERP submitted to the Planning Secretary for the duration of construction and operation.

Emergency Plan

B36. An emergency plan must be prepared for the development. The plan must:

- (a) be prepared and implemented prior to commencing construction of the solar farm (including the accommodation camp) and operations or commissioning of the battery storage facility (whichever comes first);
- (b) be prepared in consultation with FRNSW and RFS;
- (c) be provided to the local Fire Control Centre, relevant local emergency management committee and FRNSW;
- (d) be prepared in accordance with the findings of the Fire Safety Study required under condition B30;
- (e) be consistent with the Department's Hazardous Industry Planning Advisory Paper No. 1, '*Emergency Planning*' guideline
- (f) include details on general emergency management planning, including:
 - (i) details of how the battery storage and sub-systems can be safely isolated in an emergency;
 - (ii) identification of fire risks and hazards and detailed measures for the development to prevent fires igniting;
 - (iii) availability of fire suppression equipment, access and water;
- (g) include bushfire emergency management planning consistent with *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014) and *Planning for Bushfire Protection* (RFS, 2019, or equivalent) including:
 - (i) details of the location, management and maintenance of the Asset Protection Zone;
 - (ii) a list of works that must not be carried out during a total fire ban;
 - (iii) details of how RFS would be notified, and procedures that would be implemented in the event that:
 - there is a fire on-site or in the vicinity of the site;
 - there are any activities on site that would have the potential to ignite surrounding vegetation; or
 - there are any proposed activities to be carried out during a bushfire danger period;
- (h) include emergency management and evacuation procedures and identification of specific emergency exit routes to be used including evidence of access agreements with relevant landowners (e.g. right of carriageway);
- (i) include an Emergency Services Information Package in accordance with *Emergency services information package and tactical fire plan* (FRNSW, 2023); and
- (j) include an Emergency Responders Induction Package to inform first responders of site-specific features and safety measures.

Two copies of the plan and the Emergency Services Information Package must be kept on-site in prominent positions adjacent to the site entry point(s) at all times.

WASTE

B37. Unless the Planning Secretary agrees otherwise, the Applicant must:

- (a) prepare and implement a Waste Management Plan prior to commencing construction, which must:
 - (i) be prepared in consultation with Council and EnergyCo;
 - (ii) be consistent with the EIS;
 - (iii) identify opportunities to maximise recycling;
 - (iv) identify appropriately licensed waste and resource management facilities at which waste disposal and recycling will take place;
 - (v) identify the location and method of storing of lithium-ion batteries if immediate recycling is not possible; and

- (vi) include a description of the measures that will be implemented to ensure that the objectives of condition B37 (b)-(f) below are achieved;
- (b) minimise the waste generated by the development;
- (c) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
- (d) store and handle all waste on site in accordance with its classification;
- (e) not receive or dispose of any waste on site; and
- (f) remove all waste from the site as soon as practicable, and ensure it is reused, recycled or sent to an appropriately licensed waste facility for disposal (in consultation with Council for use of Council waste facilities).

ACCOMMODATION CAMP

B38. Unless the Planning Secretary agrees otherwise, the Applicant must construct and operate the accommodation camp and associated infrastructure as described in the EIS and in Appendix 1 of this consent, prior to commencing all other construction activities.

Note: The workers accommodation camp described in the EIS must be constructed and operated unless the Planning Secretary agrees to an alternative, such as the use of another existing accommodation camp, the construction and operation of which is authorised under a separate planning approval.

Accommodation Camp Management Plan

B39. Prior to commencing construction of the accommodation camp, the Applicant must prepare an Accommodation Camp Management Plan in consultation with Council, NSW Health and EnergyCo. Unless the Planning Secretary agrees otherwise, the plan must:

- (a) ensure utilities at the accommodation camp, including water, wastewater, waste and electricity, are designed and located in accordance with Council specifications and relevant standards;
- (b) ensure the accommodation camp complies with conditions B27 and B34;
- (c) ensure any treated wastewater from the accommodation camps used for dust suppression during construction:
 - (i) complies with the Australian and New Zealand Environment and Conservation Council (ANZECC) and Agriculture and Resource Management Council of Australia and New Zealand (ARMCANZ) (2000) *Guidelines for irrigation water quality*;
 - (ii) meets the requirements of the *Public Health Act 2010*;
- (d) a schedule of proposed materials, colours and finishes for all proposed buildings and structures (noting that colours must comprise of muted tones complimentary with the surrounding rural landscape and materials must be non-reflective);
- (e) include measures for dust suppression within the accommodation camp;
- (f) provide the site layout including building locations, vehicle access, parking and movement, site servicing and utilities infrastructure; and
- (g) include measures to support local suppliers in servicing the camp, where possible.

The Applicant must implement the Accommodation Camp Management Plan.

ACCOMMODATION AND EMPLOYMENT STRATEGY

B40. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council and EnergyCo. This strategy must:

- (a) propose measures to ensure there is sufficient accommodation for the workforce associated with the development;
- (b) consider the cumulative impacts associated with other State significant development projects in the area;
- (c) investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible; and
- (d) include a program to monitor and review the effectiveness of the strategy over the life of the development, including the timing for regular monitoring, reporting of outcomes and review during construction.

The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencement of construction, and implement the plan throughout construction.

DECOMMISSIONING AND REHABILITATION

- B41. Unless the Planning Secretary agrees otherwise and / or the Planning Secretary has agreed otherwise under condition B38, within 12 months of commencing operation of the project, the Applicant must decommission and rehabilitate the accommodation camp to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 5.

Table 5 | Rehabilitation Objectives – Accommodation camp

Feature	Objective
Accommodation camp	<ul style="list-style-type: none"> The site is safe, stable and non-polluting All infrastructure including above and below ground to be decommissioned and removed to a depth of 500 mm, unless the Planning Secretary agrees otherwise Restore land capability to pre-existing productive capacity Ensure public safety at all times

- B42. Within 18 months of the cessation of operations, unless the Planning Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Planning Secretary. This rehabilitation must comply with the objectives in Table 6.

Table 6 | Rehabilitation Objectives

Feature	Objective
Site	<ul style="list-style-type: none"> Safe, stable and non-polluting. Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use.
Solar farm and ancillary infrastructure	<ul style="list-style-type: none"> All infrastructure, including above and below ground, to be decommissioned and removed to a depth of 500mm, unless the Planning Secretary agrees otherwise. Reinstate all irrigation infrastructure in consultation with the landholder.
Land use	<ul style="list-style-type: none"> Restore land capability to pre-existing productive capacity.
Community	<ul style="list-style-type: none"> Ensure public safety at all times.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

- C1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
 - (b) identify the statutory approvals that apply to the development;
 - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (d) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (e) include:
 - (i) references to any strategies, plans and programs approved under the conditions of this consent; and
 - (ii) a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all monitoring and reporting obligations under the conditions of this consent.

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

Revision of Strategies, Plans and Programs

- C2. The Applicant must:
- (a) update the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Planning Secretary within 3 months of the:
 - (i) submission of an incident report under condition C10 of Schedule 2;
 - (ii) submission of an audit report under condition C13 of Schedule 2; or
 - (iii) any modification to the conditions of this consent.

Updating and Staging of Strategies, Plans or Programs

- C3. With the approval of the Planning Secretary, the development may be staged and the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).
- C4. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- C5. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

- C6. If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this consent if those requirements are not applicable to the particular stage.

NOTIFICATIONS

Notification of Department

- C7. Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing via the Major Projects website portal of the date of commencement, or cessation, of the relevant phase.

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

Final Layout Plans

- C8. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department, showing comparison to the approved layout and including details on the siting of solar panels and ancillary infrastructure, via the Major Projects website.

The Applicant must ensure that the development is constructed in accordance with the Final Layout Plans.

Work as Executed Plans

- C9. Prior to commencing operations or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development showing comparison to the Final Layout Plans, to the Department via the Major Projects website.

Incident Notification

- C10. The Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:
- (a) date, time and location;
 - (b) brief description of what occurred and why it has been classified as an incident;
 - (b) a description of what immediate steps were taken in relation to the incident; and
 - (c) identifying a contact person for further communication regarding the incident.

- C11. The Applicant must provide the Department with a subsequent incident report in accordance with Appendix 10.

Non-Compliance Notification

- C12. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

- C13. Independent Environmental Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements (2020)* or as updated from time to time and published on the Department's website.

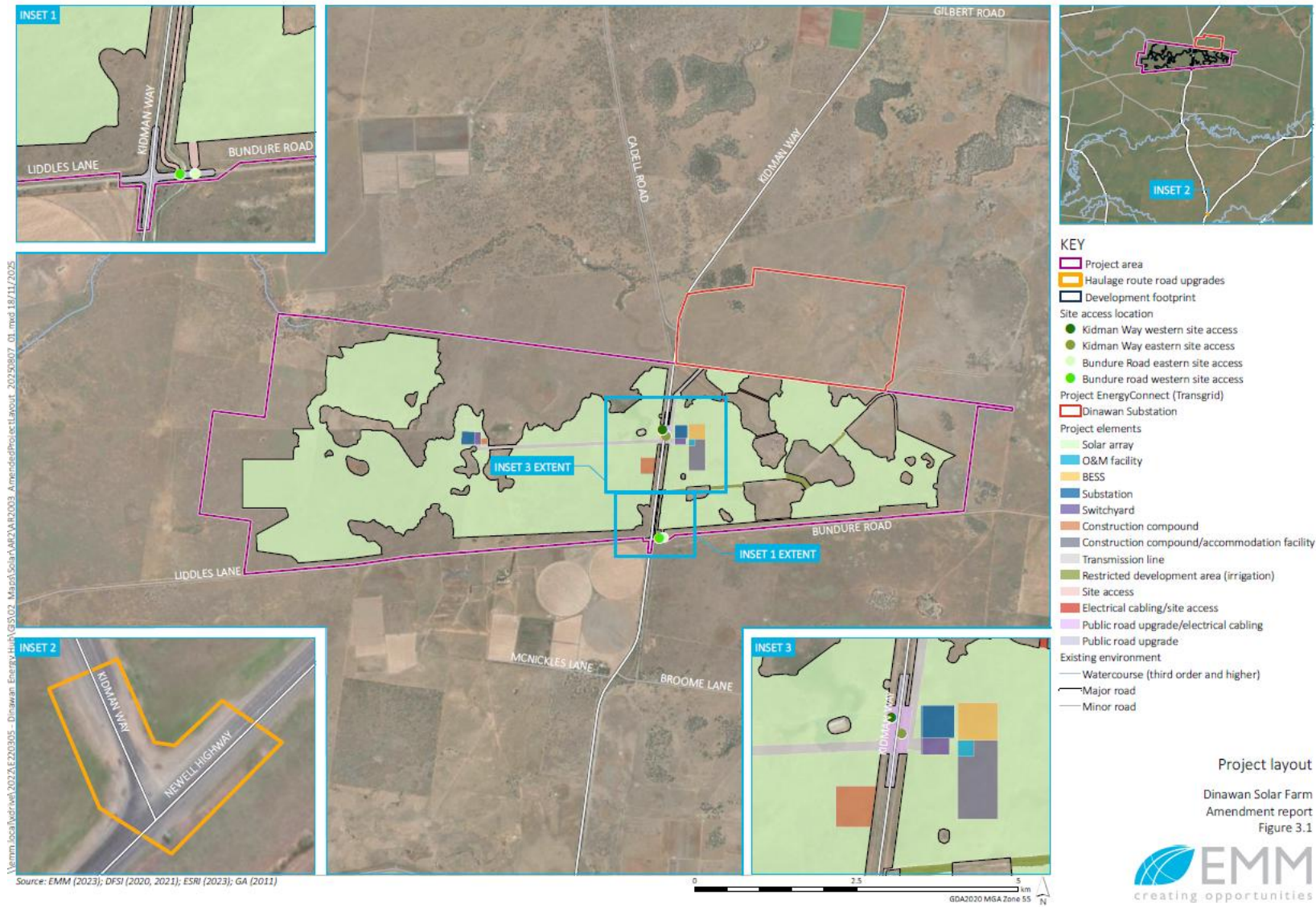
ACCESS TO INFORMATION

- C14. The Applicant must:
- (a) make the following information publicly available on its website as relevant to the stage of the development:
 - (i) the EIS;

- (ii) the final layout plans for the development;
 - (iii) current statutory approvals for the development;
 - (iv) approved strategies, plans or programs required under the conditions of this consent (other than the Fire Safety Study and Emergency Plan);
 - (v) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (vi) a comprehensive summary of the monitoring results of the development, which have been reported in accordance with the various plans and programs approved under the conditions of this consent;
 - (vii) how complaints about the development can be made;
 - (viii) a complaints register;
 - (ix) compliance reports;
 - (x) any independent environmental audit prepared in accordance with condition C13, and the Applicant's response to the recommendations in any audit; and
 - (xi) any other matter required by the Planning Secretary; and
- (b) keep this information up to date.

RECOMMENDED

APPENDIX 1 GENERAL DEVELOPMENT LAYOUT



APPENDIX 2 SCHEDULE OF LANDS

Lot Number	Deposited Plan	Lot Number	Deposited Plan	
40	756396	5	1282091	
41		6		
42		1	113903	
43		6		
44		8		
45		9		
46		10		
47		1	532988	
48		2		
133		3		
134		4		
22A		75644	5	
23			6	
24			7	
26	8			
27	5		594041	
28	6			
32	7			
107	2		1244278	
108	3			
109	3		1274586	
110				
111				
112				
113				
114				
125				

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

APPENDIX 3 INDICATIVE SUBDIVISION PLAN

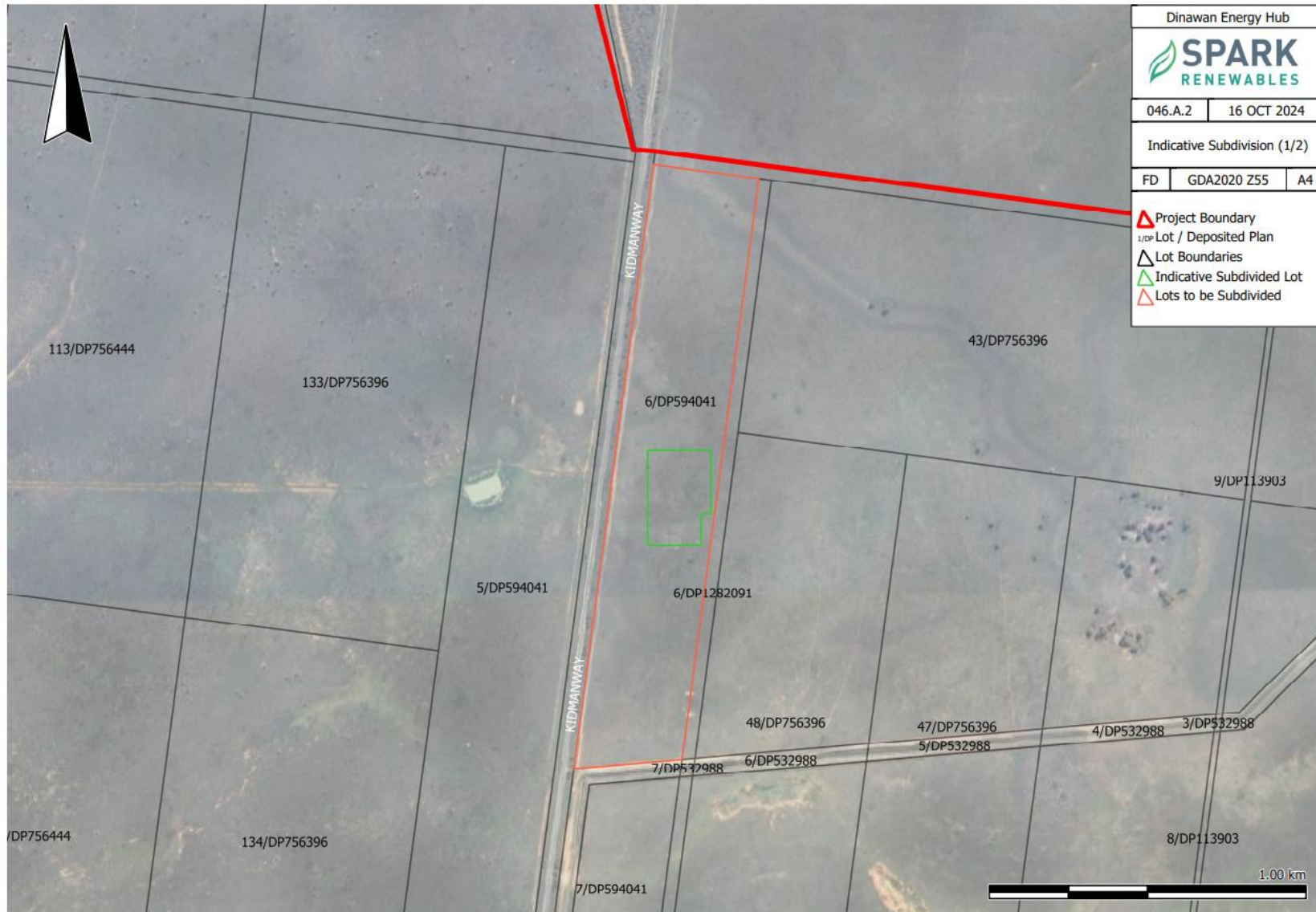


Figure 1: Subdivision Plan, Page 1 of 2

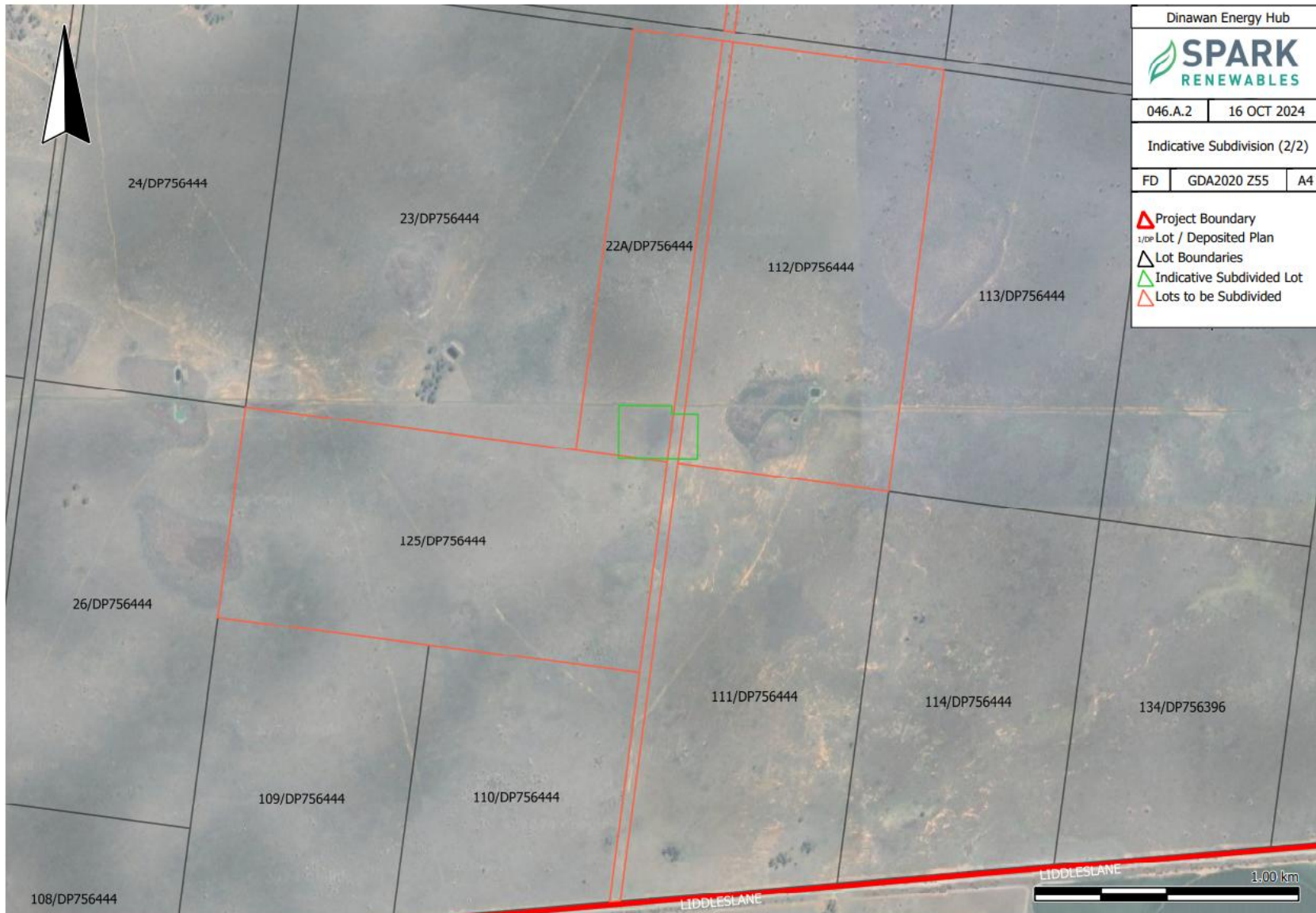


Figure 2: Subdivision Plan, Page 2 of 2



John Scarce
 General Manager
 Murrumbidgee Council
 35 Jerilderie St, Jerilderie NSW 2716

18 December 2025

Dear John,

Re: Dinawan Energy Hub – Dinawan Solar Farm Planning Agreement with Murrumbidgee Council

We refer to our previous discussions with Murrumbidgee Council (**Council**) in relation to the Dinawan Solar Farm (**Project**). The Project is subject to a pending State significant development application (SSD-50725959) the proponent of which is Dinawan Energy Hub Pty Ltd as trustee for Dinawan Energy Hub Trust (**Proponent**), a wholly owned subsidiary of Spark Renewables. This letter sets out the terms of Spark Renewables' offer to enter into a planning agreement with Council in connection with the Project. It is intended that the planning agreement will be entered into by the Proponent.

Project Background

The Project would have a generation capacity of up to 800 megawatts AC¹ (MW) plus a battery energy storage system (BESS) capacity of up to 300 MW with four hours of storage (i.e. 1,200 MWh). The Project will form part of the Dinawan Energy Hub, a hybrid wind, solar and BESS facility that would connect into the electricity network via the new Project EnergyConnect transmission line currently under construction by Transgrid as part of the South West Renewable Energy Zone (**REZ**).

Spark Renewables is proposing to establish a community benefit program as part of the Project to provide ongoing benefits to the local community. During the development phase we have undertaken consultation with the local community and sought feedback on the current needs and opportunities that a community benefit fund could address as well as views on the possible structure of such a fund. The response from the community has been very positive to date and largely aligns with the strategic aims and projects that Council has proposed in the Development Contributions Plan (October 2023).

Benefit Sharing Guideline

The NSW Government released its Renewable Energy Planning Framework (**Framework**) in November 2024. That Framework includes the *Benefit Sharing Guideline* (November 2024), which outlines "how benefit-sharing should be incorporated into State significant development (SSD) ... applications for solar, wind and battery energy storage systems". Relevantly, the Benefit Sharing Guideline records that:

¹ Solar farm megawatt capacities are often specified as DC (direct current) or AC (alternating current). Megawatts AC is assumed throughout this letter as this is the maximum capacity at the point of connection, as referenced in the project's Generator Performance Standards.

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- Total funding for benefit sharing for large-scale solar energy developments should be based on the benefit sharing rate of **\$850 per MW per annum** based on the installed capacity and paid over the life of the development and indexed to the Consumer Price Index (CPI).
- The total value of benefit-sharing, calculated by adding together the proposed funding amounts for any neighbourhood and local community benefit programs (whether council managed or otherwise), should not exceed the rate outlined above.
- No additional funding is required for storage systems (BESS) associated with large-scale solar energy developments.
- Benefit sharing initiatives are to be informed by consultation with the community, tailored to the local context and communities' needs.
- As a general guide, councils should administer no less than 85% of the relevant portion of the total benefit-sharing value. Benefit programs may be administered by councils or through other means such as community organisations or direct management.

The transitional arrangements made by the NSW Government (see [Renewable Energy Planning Framework – Transitional Arrangements](#)) relevantly confirm that where the EIS for a large-scale solar energy project was submitted before 12 November 2024, the 'applicant may choose to apply the Benefit Sharing Guideline'.

Spark Renewables supports the Framework and the additional clarity which it provides to both the community and industry including in relation to its aim to 'make sure the benefits of energy development are directly realised by the localities and regions that host the infrastructure'.

Proposed Benefit Sharing Funding

Spark Renewables is committed to providing benefit sharing funds with total values that are consistent with the Benefit Sharing Guideline, being **\$850 per MW per annum** based on the installed AC capacity and paid over the life of the Project and indexed to CPI on 1 July each year following the entering into of the Deed.

The total benefit sharing funds to be provided in relation to the Project will be distributed as follows:

- **seventy percent (70%)** to be distributed to Council for public purpose projects identified in Council's Development Contributions Plan;
- **fifteen percent (15%)** to be distributed to a community benefit fund (CBF) to be administered by the Proponent which will provide grant funding to initiatives that collectively benefit proposals put forward by the local community subject to the guidelines in a CBF charter; and

- **fifteen percent (15%)** to be administered by the Proponent outside of the planning agreement with Council, which will go to initiatives to share project benefits with the neighbouring community and local indigenous and Aboriginal and Torres Strait Islander communities.

Table 1 – Agreed benefit sharing funding

Project	Contribution Towards Development Contributions Plan Projects – 70%	Community Benefit Fund – 15%	Local Benefit-Sharing Initiative (per MW) – 15%	Total Value (per MW)
Solar Farm	\$595/yr	\$127.5/yr	\$127.5/yr	\$850/yr

Key terms of the Planning Agreement

The final planning agreement with the Council will comply with the requirements of section 7.4(3) of the Environmental Planning and Assessment Act 1979 (EP&A Act), and shall include the following key terms:

Key Term	Details
Development	The planning agreement will apply to the Project.
Land	The planning agreement will apply to the Project site, as identified in any SSD consent granted to the Project.
Annual Contributions	<ul style="list-style-type: none"> • Total annual benefit sharing contributions will be \$850 per megawatt hour over the operational life of the Project (Total Annual Contributions). • 70% of the Total Annual Contributions, equating to an annual contribution of \$595 per year per megawatt hour, will be paid to the Council under the planning agreement for the purpose of funding public purpose projects identified in the Council's Development Contributions Plan. • 15% of the Total Annual Contributions, equating to an annual contributions of \$127.50 per year per megawatt hour, will be paid to a community benefit fund (CBF) to be administered by the Proponent. The CBF committee will provide grant funding to initiatives that collectively benefit proposals put forward by the local community subject to the guidelines in a CBF charter, which will aim to: <ol style="list-style-type: none"> a. Prioritise funding for suitable public purpose projects located closer to the Project;

	<ul style="list-style-type: none"> b. Prioritise public purpose projects that receive co-funding or in-kind support from other sources; and c. Be used for environmental programs, enhancing local biodiversity, recreational facilities, education programs, arts or cultural programs and other initiatives that benefit the local community. <ul style="list-style-type: none"> • 15% of the Total Annual Contributions will be administered by the Proponent outside of the planning agreement with Council, which and will go to initiatives to share project benefits with the neighbouring community and local Indigenous and Aboriginal and Torres Strait Islander communities. <p>The 70% of the Total Annual Contributions to be administered by the Council under the planning agreement is referred to as the Annual Contribution Payment.</p> <ul style="list-style-type: none"> • The Total Annual Contributions will be determined based on the final AC installed capacity of the Project within the Council's LGA, representing the maximum capacity at the point of connection. • The Annual Contribution Payment will commence upon the commencement of construction of the Project (Payment Commencement Date) and end on the date on which the Project permanently ceases to operate. • The Annual Contribution Payment will be indexed annually on 1 July to the All Groups Consumer Price Index for Sydney.
<p>Application of s7.11, s7.12 and s7.24 of the EP&A Act</p>	<ul style="list-style-type: none"> • The planning agreement will not exclude sections 7.11 and 7.12 of the EP&A Act from applying to the Project. The benefits provided under the planning agreement will be taken into account under section 7.11(6) of the EP&A Act, if applicable. • The voluntary planning agreement will exclude Division 7.1, Subdivision 4 of the EP&A Act from applying to the Project.
<p>Costs</p>	<ul style="list-style-type: none"> • The Proponent will pay the Council's reasonable costs of negotiating and executing the planning agreement, up to a maximum of \$5,000 (including GST). • Subject to this, each party will pay its own costs in relation to the preparation, execution and administration of the planning agreement.



We hope this offer to enter into a planning agreement for the Project is acceptable to Council and look forward to further engaging with you on this offer.

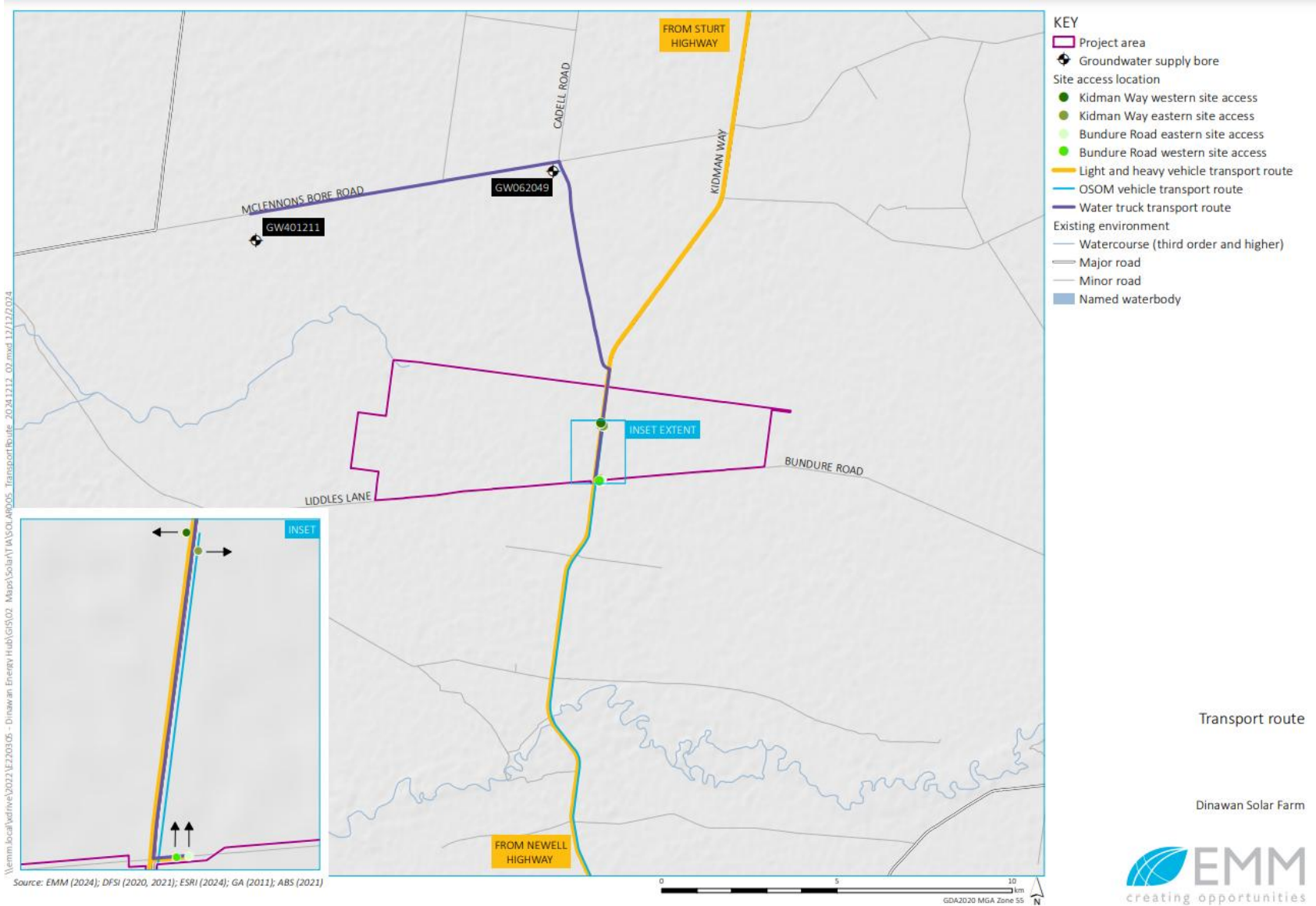
Yours sincerely,

A handwritten signature in black ink, appearing to read "Will Stone".

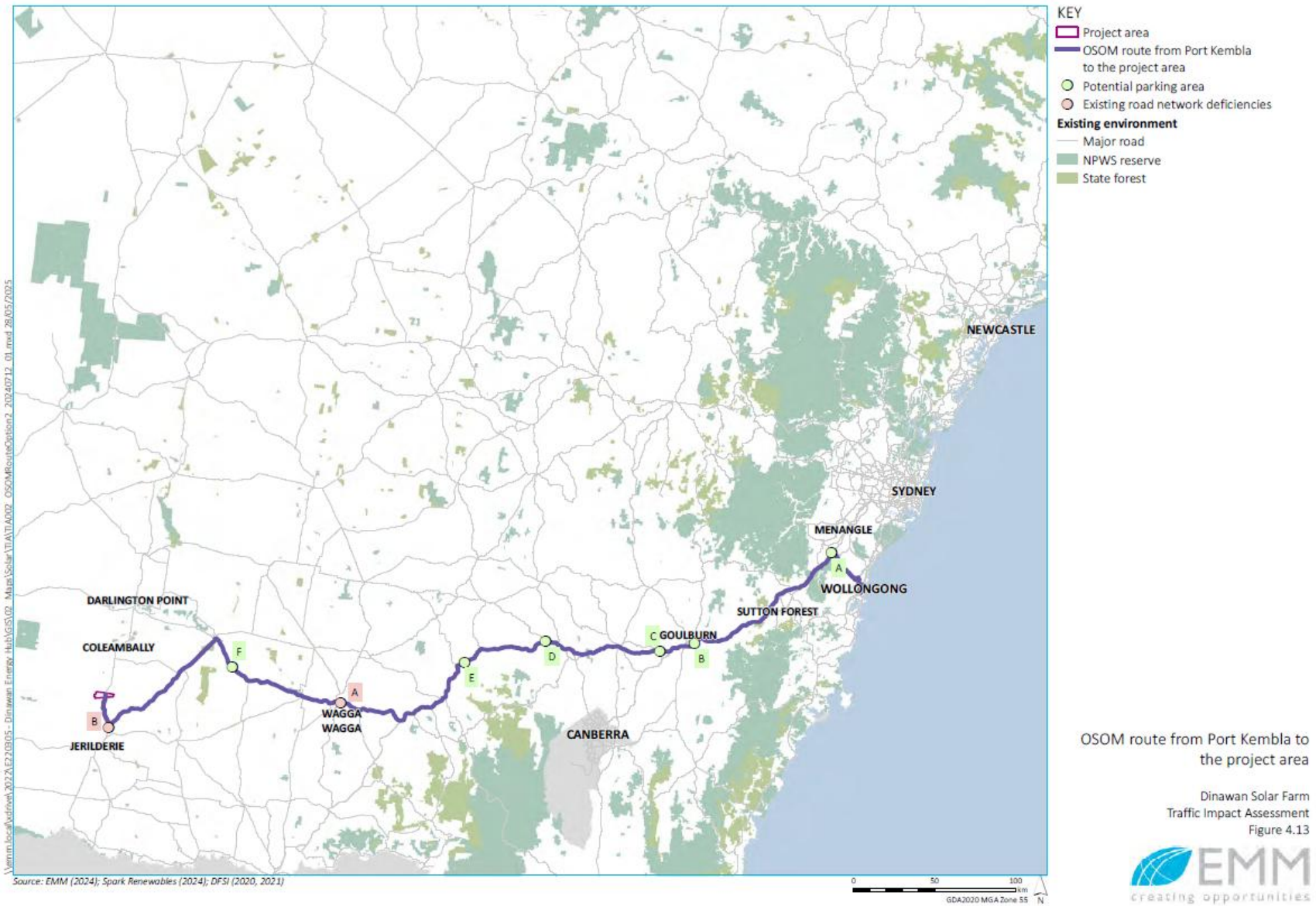
Will Stone
Head of Development
0468 745 736

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APPENDIX 5 SITE ACCESS ROUTE



APPENDIX 6 HIGH-RISK HEAVY VEHICLE HAULAGE ROUTE



APPENDIX 7 ROAD UPGRADES

Table 1 Site Access and Road Upgrades

Road / Intersection	Location	Upgrade Requirements
Kidman Way	At the Kidman Way eastern access point and Kidman Way western access point, as identified in Appendix 1 and Appendix 5.	Provide new staggered intersection for site access points (identified in Figure 1 of Appendix 7) including: <ul style="list-style-type: none"> at the Kidman Way western site access provision of an auxiliary left turn (AUL(s)) on the south approach and a channelised right turn (CHR) treatment on the north approach; and at the Kidman Way eastern site access provision of an AUL(S) on the north approach and a CHR(S) on the south approach .
Intersection of Kidman Way / Bundure Road / Liddles Lane	At the location identified in inset 2 in Appendix 1.	Provide the following as shown in Figure 2 of Appendix 7: <ul style="list-style-type: none"> CHR(s) treatment on both the southern and northern approaches and a basic left turn (BAL) for left-turning vehicles on the northern approach on Kidman Way, amend existing line marking and localised widening and sealing on Bundure Road and Liddles Lane; and upgrade of access points on Bundure Road and widening and sealing of Bundure Road 50 m to the east of the Bundure Road eastern site access, as described in the EIS and Amended Traffic Impact Assessment (EMM, November 2025).

Table 2 High-Risk Heavy Vehicle Requiring Escort Route Upgrades

Road / Intersection	Location	Upgrade Requirements
Newell Highway / Kidman Way	At the location identified in Figure 3 of Appendix 7.	Additional hardstand (to the standard of the adjacent road) on northern and western corner of the Newell Highway/Kidman Way intersection to facilitate OSOM vehicles.

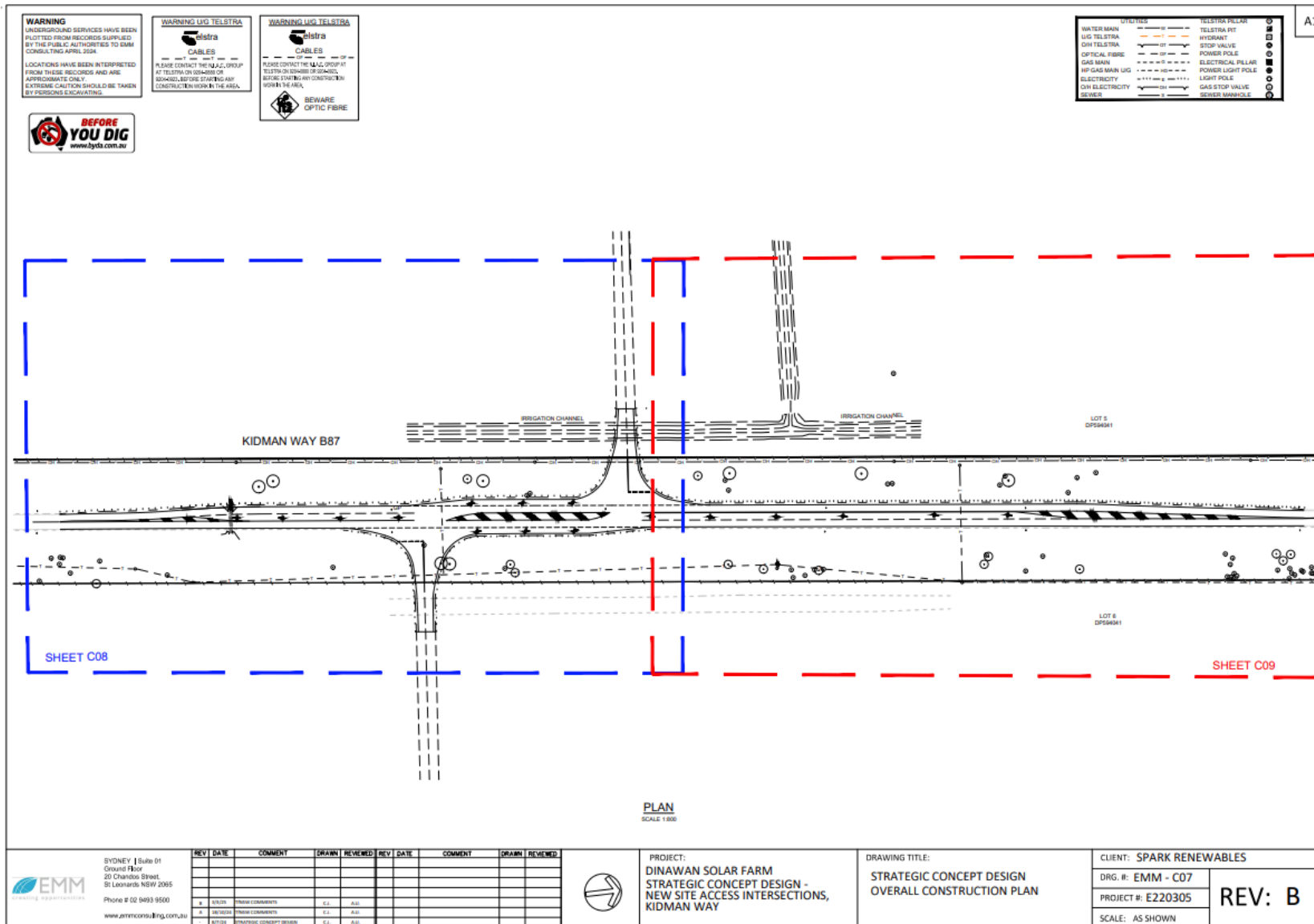


Figure 1 Proposed Kidman Way eastern access point and Kidman Way western access point

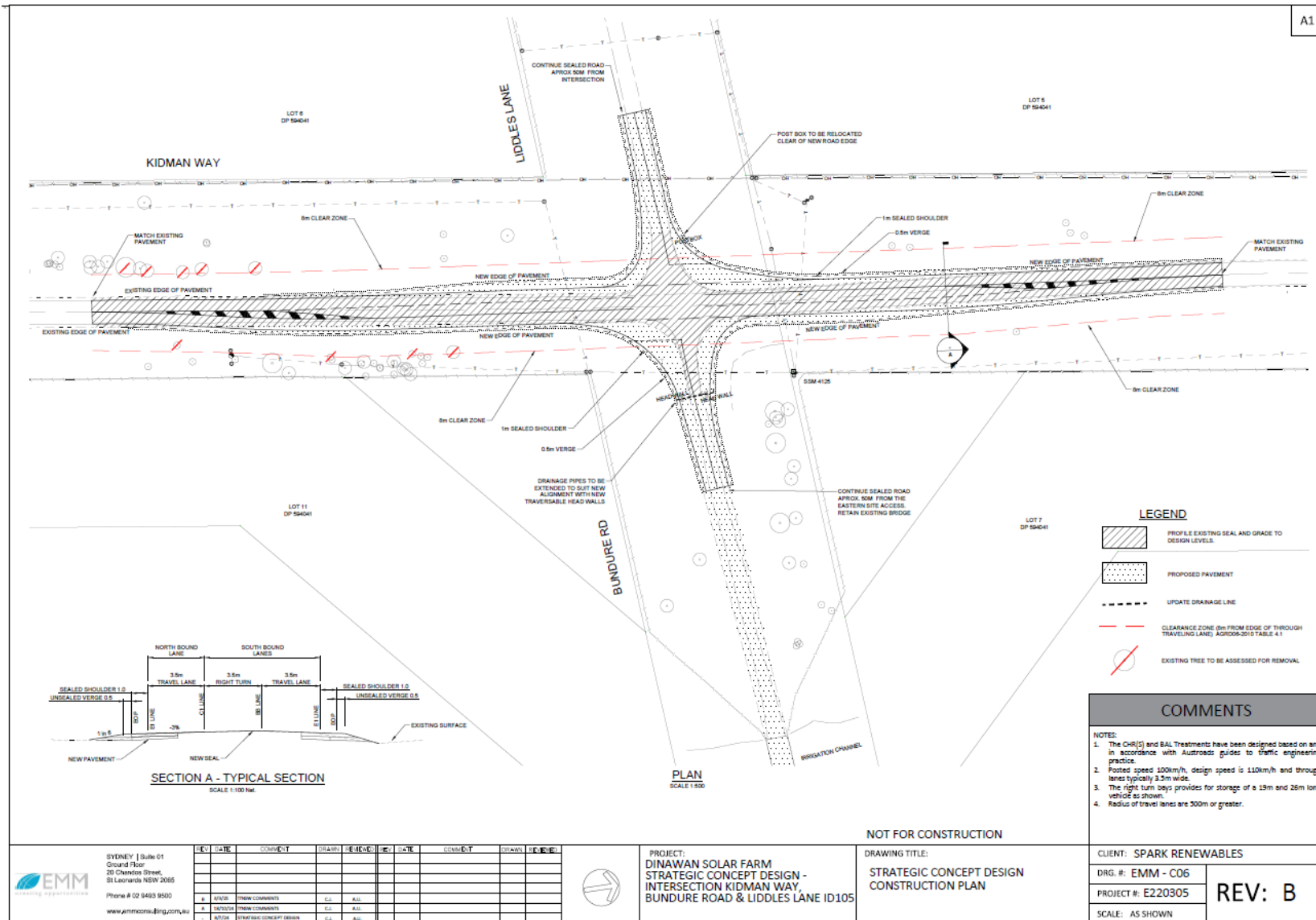


Figure 2 Proposed upgrades at the intersection of the Kidman Way, Bundure Road and Liddles Lane

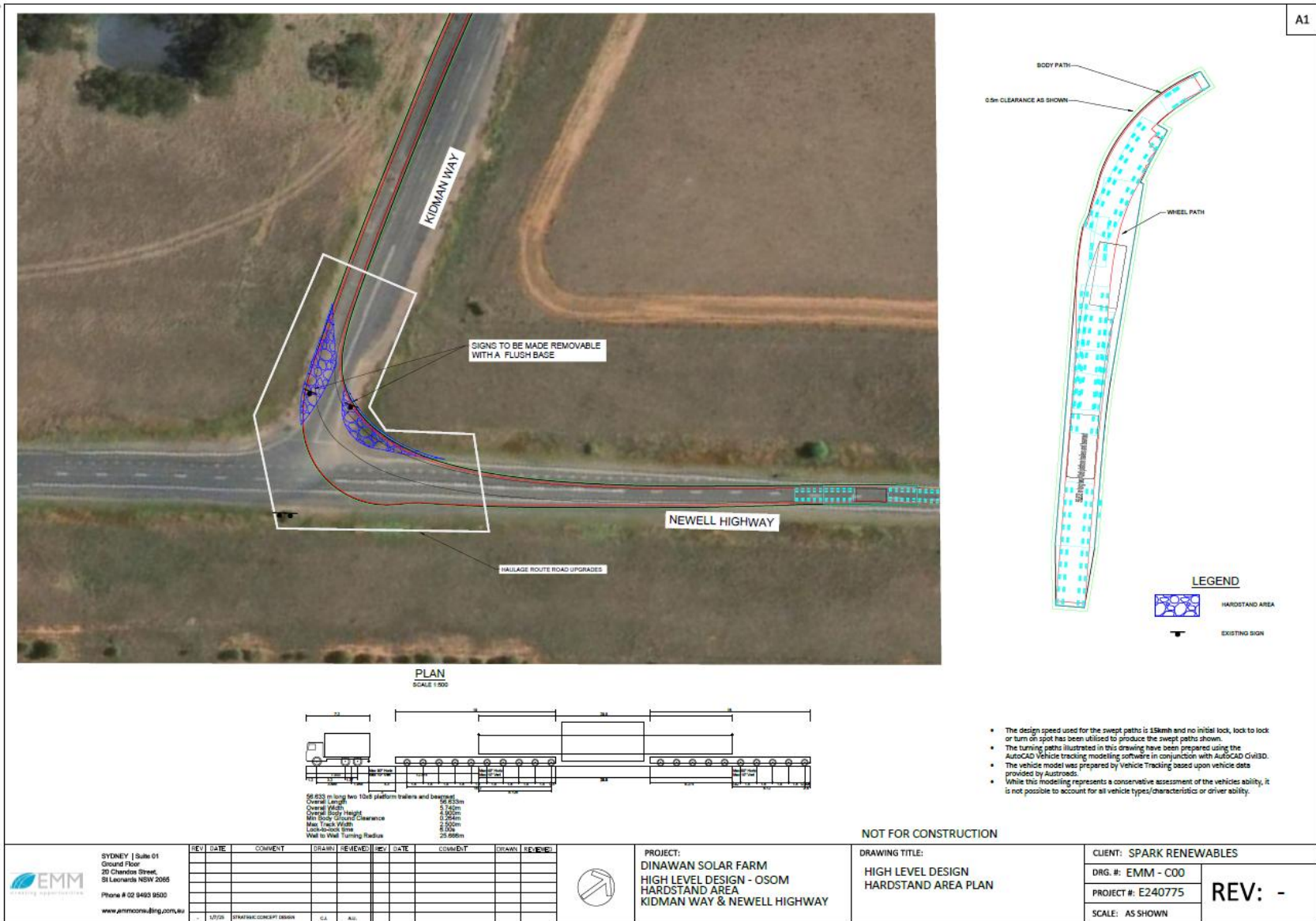
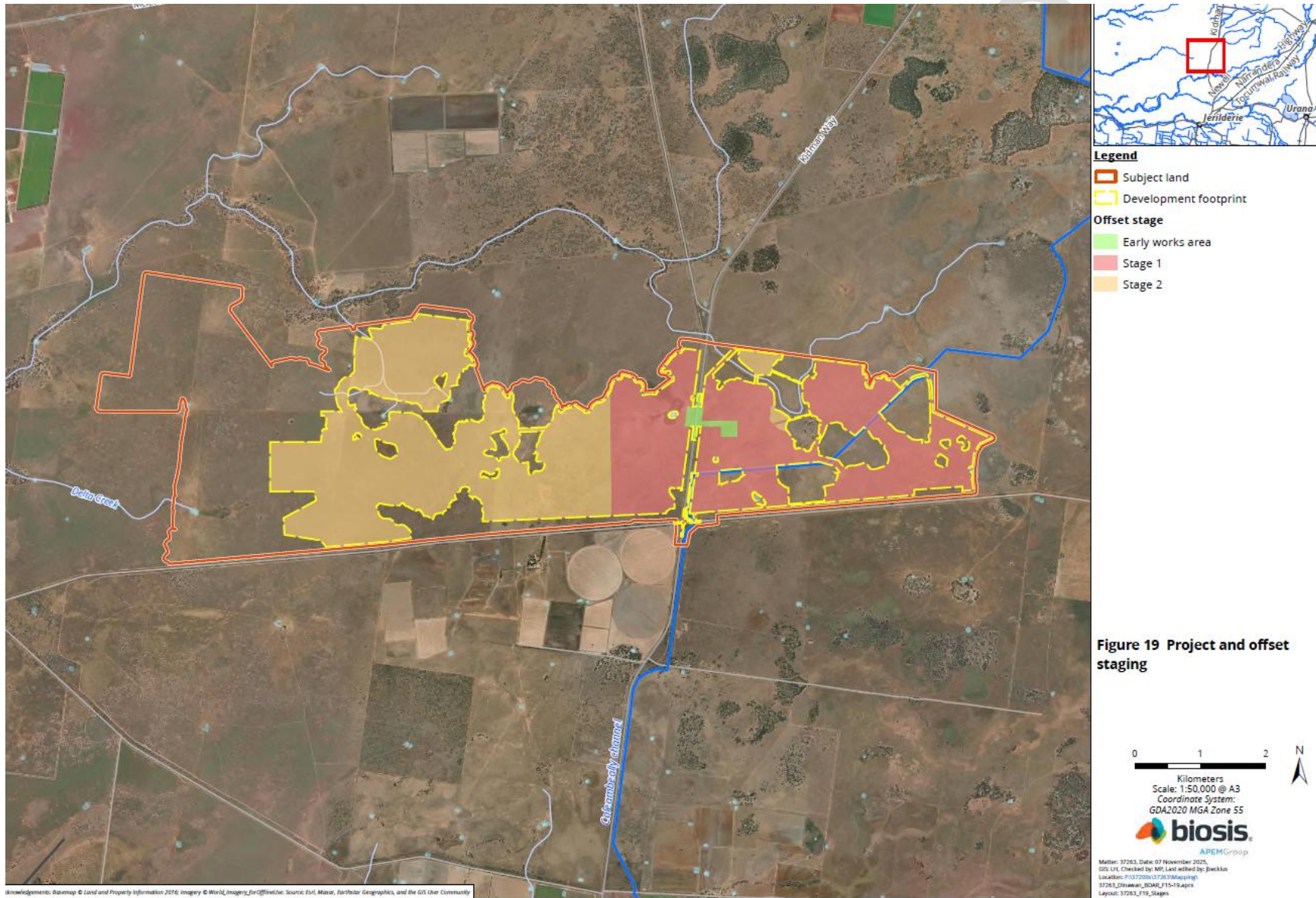


Figure 3 Newell Highway and Kidman Way Upgrade

APPENDIX 8 OFFSET STAGING PLAN



APPENDIX 9 ABORIGINAL HERITAGE ITEMS

Table 1 Heritage Items – avoid impacts

Item	Item
DEHS-2023-AS3 (Artefact scatter)	DEHS-2023-HIF2 (Hearth, isolated find)
DEHS-2023-AS5 (Artefact scatter)	DEHS-2023-HIF3 (Hearth, isolated find)
DEHS-2023-AS6 (Artefact scatter)	DEHS-2023-HAS1 (Hearth, artefact scatter)
DEHS-2023-AS7 (Artefact scatter)	DEHS-2023-HAS2 (Hearth, artefact scatter)
DEHS-2023-AS8 (Artefact scatter)	DEHS-2023-HAS3 (Hearth, artefact scatter)
DEHS-2023-IF2 (Isolated find)	DEHS-2023-WT1 (Women's tree, isolated find)
DEHS-2023-IF3 (Isolated find)	DEHS-2023-ST1 (Culturally modified tree)
DEHS-2023-IF5 (Isolated find)	DEHS-2023-ST2 (Culturally modified tree)
DEHS-2023-H1 (Hearth)	DEHS-2023-ST3 (Culturally modified tree)
DEHS-2023-H2 (Hearth)	DEHS-2023-ST4 (Culturally modified tree)
DEHS-2023-H3 (Hearth)	DEHS-2023-ST5 (Culturally modified tree)
DEHS-2023-H5 (Hearth)	DEHS-2023-ST6 (Culturally modified tree)
DEHS-2023-H6 (Hearth)	
DEHS-2023-H7 (Hearth)	

Table 2 Aboriginal Heritage Items – surface collection and salvage

Item	Item
DEHS-2023-AS1 (Artefact scatter)	DEHS-2023-IF4 (Isolated find)
DEHS-2023-AS2 (Artefact scatter) - partial	DEHS-2023-IF6 (Isolated find)
DEHS-2023-AS4 (Artefact scatter)	DEHS-2023-HAS4 (Hearth, artefact scatter)
DEHS-2023-IF1 (Isolated find)	DEHS-2023-H4 (Hearth)

Note: DEHS-2023-H4 (Hearth) requires further validation prior to any salvage.

APPENDIX 10 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10, Schedule 2 or, having given such notification, subsequently forms the view that an incident has not occurred.
3. Within 7 days (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10, Schedule 2), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident; and
 - (e) a summary of the incident;
 - (f) outcomes of an incident investigation, including identification of the cause of the incident;
 - (g) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence, including the period for implementing any corrective and/or preventative actions; and
 - (h) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.