

Development Consent

Section 89E of the *Environmental Planning & Assessment Act 1979*

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

These conditions are required to:

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

David Kitto
Executive Director
Resource Assessments and Business Systems

Sydney

2017

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

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

SCHEDULE 1

Application Number:	SSD 8025
Applicant:	Limondale Sun Farm Pty Ltd
Consent Authority:	Minister for Planning
Land:	See Appendix 1
Development:	Limondale Solar

Application Number	Determination Date	Decider	Modification Description
SSD-8025-MOD 1	27/07/2018	Executive Director	Panel Height and Subdivision
SSD-8025-MOD 2	07/10/2022	Director	Battery Energy Storage System

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DEFINITIONS

Aboriginal stakeholders	Aboriginal stakeholders registered for cultural heritage consultation for the development
Ancillary Infrastructure	All project infrastructure with the exception of solar panels, including but not limited to collector substations, switching stations, permanent offices, site compounds, battery storage, electricity transmission lines and internal roads
Applicant	Limondale Sun Farm Pty Ltd, or any person who seeks to carry out the development approved under this consent
Battery storage	Large scale energy storage system
BCS	Biodiversity, Conservation and Science Directorate within the Department
Cessation of operations	Operation of the development has ceased for a continuous period of 6 months
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 schedules 1 to 4 inclusive
Construction	The construction of the development, including but not limited to the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes any upgrades to the public road network required under this consent, installation of fencing, artefact survey, overhead line safety marking, geotechnical drilling and/or surveying)
Council	Balranald Shire Council
Decommissioning	The removal of solar panels and ancillary infrastructure and/or rehabilitation of the site
Department	Department of Planning and Environment
Development	The development as described in the EIS
Development footprint	The area described as the Development footprint in the figure in Appendix 1
DPI	Department of Primary Industries
EIS	<i>Limondale Sun Farm Environmental Impact Statement</i> (EMM Consulting Pty Ltd, 10 April 2017) as amended by: <ul style="list-style-type: none"> • <i>Limondale Solar Farm Response to Submissions</i> (Overland Sun Farming, 30 June 2017); • Applicant's letter dated 30 August 2017; • <i>Limondale Sun Farm Modification 1 Environmental Impact Assessment</i> (Limondale Sun Farm Pty Ltd, 29 June 2018); • <i>Limondale Solar Farm Modification 2 Report</i> dated 17 March 2022; and • <i>Limondale Solar Farm Modification 2 Submissions Report</i> dated 1 July 2022.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heavy vehicle	A vehicle that has a combined Gross Vehicle Mass or Aggregate Trailer Mass of more than 4.5 tonnes
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Heritage NSW	Heritage Division within the Department of Premier and Cabinet
Incident	A set of circumstances that: <ul style="list-style-type: none"> • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits or performance measures/criteria in this consent
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning, or delegate
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Operation	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
Planning Secretary	Secretary of the Department, or nominee
Project site	As shown in the table and figure in Appendix 1

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
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RFS	Rural Fire Service
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, or material stockpiles
TfNSW	Transport for New South Wales
Upgrading	The augmentation and/or replacement of solar panels (excluding maintenance) and ancillary infrastructure on site
Vehicle Movement	One vehicle entering and leaving the site

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

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

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

3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any requirement/s of the [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.

FINAL LAYOUT PLANS

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

Note: If the construction of the development is to be staged, then the provision of these plans may be staged.

UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE

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

WORK AS EXECUTED PLANS

7. Prior to the commencement of operations, or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development, to the Department.

NOTIFICATION OF DEPARTMENT

8. Prior to the commencement of construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement, or cessation, of the relevant phase.

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

STRUCTURAL ADEQUACY

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

Notes:

- Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

DEMOLITION

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

PROTECTION OF PUBLIC INFRASTRUCTURE

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

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

OPERATION OF PLANT AND EQUIPMENT

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

SUBDIVISION

13. Applicant may subdivide Lot 12 DP 751179 to create one additional allotment, in accordance with the EIS and the requirements of the EP&A Act and EP&A Regulation.

Notes:

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

SCHEDULE 3 ENVIRONMENTAL CONDITIONS – GENERAL

BATTERIES

Battery storage restriction

1. The battery storage associated with the development must not exceed a total delivery capacity of 200 MW.

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

TRANSPORT

Heavy Vehicle Restrictions

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

Access Route

4. All vehicular traffic associated with the development must travel to and from the project site via Yanga Way and the approved site entry point (shown in Appendix 1).

Road Upgrades

5. Prior to the commencement of construction, the Applicant must:
 - (a) construct the intersection with Yanga Way to provide, as a minimum, a new Basic Right Turn (BAR) and Basic Left Turn (BAL) treatment to be able to accommodate the largest vehicle accessing the intersection, to the satisfaction of RMS, and in accordance with the *Austroads Guide to Road Design* (as amended by [TfNSW](#) supplements), unless [TfNSW](#) agrees otherwise;
 - (b) construct the site access track to provide for 2 way vehicular movement between its intersection with Yanga Way and the existing access track and be sealed for a minimum of 50 metres from its intersection with Yanga Way, to the satisfaction of [TfNSW](#); andclose the existing site entry off Yanga Way, and reinstate the road reserve to match the surrounding roadside landform, to the satisfaction of [TfNSW](#) and Council.

Operating Conditions

6. The Applicant must ensure:
 - (a) the internal project site roadways are constructed as all-weather roadways;
 - (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) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
 - (d) vehicles leaving the site are in a clean condition and do not result in dirt being tracked onto the public road network.

Traffic Management Plan

7. Prior to the commencement of any road upgrades required under this consent, the Applicant must prepare a Traffic Management Plan for the development to the satisfaction of the [Planning Secretary](#). This plan must be prepared in consultation with the [TfNSW](#), Council and Western Local Land Services, and include:
 - (a) details of the entire transport route to be used for development-related traffic;
 - (b) the origin, destination, number, loads, weights and lengths, frequency, including peak and daily traffic volumes and destination of vehicles accessing/exiting the site;

- (c) 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:
- consideration of potential interaction with Sunraysia Solar Farm in consultation with the applicant of that project;
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - procedures for receiving and addressing complaints from the community about development-related traffic;
 - minimising potential for conflict with school buses, rail services and other motorists as far as practicable;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust, wet weather;
 - responding to any emergency repair or maintenance requirements;
 - a traffic management system for managing over-dimensional vehicles; and
 - consideration of potential impacts to stock movement on the Travelling Stock Reserve (Lots 7306 and 7307 DP 1158277), including options for fencing the site access track; and
- (d) a driver's code of conduct that addresses:
- travelling speeds;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe driving practices and manage driver fatigue, particularly if using roads through Balranald.

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

Following the [Planning Secretary's](#) approval, the Applicant must implement the plan.

LAND MANAGEMENT

8. Following any construction or upgrading on site, the Applicant must:
- (a) restore the ground cover of the site as soon as practicable, but within 12 months at the latest following completion of any construction or upgrading, using suitable species;
 - (b) maintain ground cover; and
 - (c) keep this ground cover free of weeds.

BIODIVERSITY

Retirement of Credits

9. Prior to the commencement of construction, the Applicant must review and update the ecosystem credit requirements in Table 1 below in consultation with [BCS](#), and to the satisfaction of the [Planning Secretary](#).

Table 1: Ecosystem Credit Requirements

Vegetation Community	PCT Number	Credits Required
Black Box grassy open woodland wetland of rarely flooded depressions in south western NSW (mainly Riverina Bioregion and Murray Darling Depression Bioregion)	16	76
Black Oak - Western Rosewood open woodland on deep sandy loams mainly in the Murray-Darling Depression and Riverina Bioregions	58	82

10. Within 1 year of the commencement of construction, the Applicant must retire the biodiversity credits of a number and class identified in the review carried out under condition 9 above. The retirement of the credits must be carried out in accordance with *the NSW Biodiversity Offsets Policy for Major Projects* and can be achieved by:
- (a) acquiring or retiring credits under the Biobanking Scheme in the TSC Act;
 - (b) making payments into an offset fund that has been developed by the NSW Government; or
 - (c) providing supplementary measures.

Biodiversity Management Plan

11. Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with [BCS](#), to the satisfaction of the [Planning Secretary](#). This plan must:
- include a description of the measures that would be implemented for:
 - managing the remnant vegetation and fauna habitat on the site;
 - minimising clearing and avoiding unnecessary disturbance of vegetation, including the vegetation communities listed in Table 1, that is associated with the construction and operation of the development;
 - minimising the impacts to fauna on site and implementing fauna management protocols;
 - rehabilitating and revegetating temporary disturbance areas;
 - protecting vegetation and fauna habitat outside the approved disturbance areas;
 - protecting areas of retained trees and vegetation (including locating stockpiles, parking, boundary fencing and machinery storage within cleared areas or areas proposed for clearing);
 - 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;
 - controlling weeds and feral pests; and
 - undertaking pre-clearance surveys of all hollow-bearing trees if clearing is to be undertaken between July and November;
 - include a seasonally-based program to monitor and report on the effectiveness of these measures; and
 - include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

Following approval, the Applicant must implement the plan.

Note: If a biodiversity offset area is conserved via a Biobanking Agreement in accordance with condition 10a, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biobanking Agreement.

AMENITY

Construction, Upgrading and Decommissioning Hours

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

The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the [Planning Secretary](#):

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

Noise

13. 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; and
 - [ensure that the noise generated by the operation of the development does not exceed 35 dB\(A\) LAeq, 15min during operation, determined in accordance with the procedures in the NSW Noise Policy for Industry \(EPA, 2017\) at any non-associated residence.](#)

Dust

14. The Applicant must minimise the dust generated by the development, including dust generated along the transport route from development-related traffic.

Visual

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

Lighting

16. The Applicant must:
- minimise the off-site lighting impacts of the development; and
 - 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 Lighting*, or its latest version.

HERITAGE

Discovery of Human Remains

17. 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 [Heritage NSW](#) as soon as possible following the discovery, and work must not recommence in the area until this is authorised by [Heritage NSW](#).

Chance Finds Protocol

18. 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 [Heritage NSW](#). Following approval, the Applicant must implement the Chance Finds Protocol.

Operating Conditions

19. The Applicant must:
- ensure the development does not cause any direct or indirect impact on the Aboriginal heritage sites identified in the table in Appendix 2, unless the [Planning Secretary](#) agrees otherwise; and
 - salvage heritage items L1, L9 and L11 prior to construction;
 - carry out detailed test excavations and salvage (if required) for potential Archaeological deposits 47-6-0605 and 47-6-0606 prior to construction of the transmission line between the project site and Balranald substation.
- Note: The locations of the Aboriginal heritage items referred to in this condition are shown on the figure in Appendix 2.*

Heritage Management Plan

20. Prior to the commencement of construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the [Planning Secretary](#). This plan must:
- be prepared by a suitably qualified and experienced person whose appointment has been endorsed by the Secretary;
 - be prepared in consultation with [Heritage NSW](#) and Aboriginal stakeholders;
 - include updated baseline mapping of the heritage items within and adjoining the development disturbance area;
 - include a methodology for test excavations of potential Archaeological deposits 47-6-0605 and 47-6-0606 in accordance with *Code of Practice for Archaeological Investigation of Aboriginal Objects* (DECCW, 2010) and including a description of the measures that would be implemented to manage the impacts of the development;
 - include a description of the measures that would be implemented for:
 - protecting Aboriginal heritage sites outside the development disturbance area;
 - minimising and managing the impacts of the development on heritage items within the disturbance footprint, including:
 - salvage of heritage items L1, L9 and L11; and
 - a strategy for the long term management of any Aboriginal heritage items or material collected during the test excavation or salvage works;
 - a contingency plan and reporting procedure if:

- Aboriginal heritage items outside the approved disturbance area are damaged;
 - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions;
 - ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and
- (f) 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.

SOIL & WATER

Water Pollution

21. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the *Protection of the Environment Operations Act 1997*.

Soil Erosion

22. The Applicant must:
- (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; and
 - (b) ensure the solar panels and associated infrastructure are designed, constructed and maintained to avoid causing any tunnel erosion on site.

Stormwater Drainage

23. Prior to the commencement of construction, the Applicant must:
- (a) prepare detailed Stormwater Plans for the site to the satisfaction of Council, in accordance with the requirements in Council's *Engineering Guidelines – Subdivisions and Development Standards and Stormwater Drainage and Disposal Policy*; and
 - (b) submit a copy of these plans to the Department.

Following approval, the Applicant must implement the plan.

HAZARDS

Storage and Handling of Dangerous Goods

24. The Applicant must:
- (a) store and handle all chemicals, fuels and oils used on-site in accordance with:
 - i. the requirements of all relevant Australian Standards; and
 - ii. the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook* if the chemicals are liquids.
 - (b) ensure the substation is suitably bunded; and
 - (c) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur

[In the event of an inconsistency between the requirements of \(i\) and \(ii\) above, the most stringent requirement must prevail to the extent of the inconsistency.](#)

Operating Conditions

25. The Applicant must:
- (a) minimise the fire risks of the development, [including managing vegetation fuel loads on-site](#);
 - (b) ensure that the development:
 - includes at least a 10 metre defensible space that permits unobstructed vehicle access is to be provided around the perimeter of the solar array area, [and a 10 m defensible space around any battery storage and associated infrastructure areas](#);
 - manages the defensible space and solar array area as an Asset Protection Zone;
 - complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and *Standards for Asset Protection Zones*;
 - is suitably equipped to respond to any fires on site.
 - (c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and

- (d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.

Emergency Response Plan

- 26. Prior to the commencement of operations (excluding battery storage), the Applicant must prepare an 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.
- 26A. Prior to commissioning of the battery storage, the Applicant must revise the Emergency Response Plan, in consultation with the RFS and Fire & Rescue NSW. The revised plan must:
 - (a) be prepared in accordance with the findings of the Fire Safety Study required under Condition 27 of Schedule 3;
 - (b) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'* and RFS's *Planning for Bushfire Protection 2019* (or equivalent);
 - (c) include details on how the battery storage and sub-systems can be safely isolated in an emergency;
 - (d) include bushfire emergency management planning, including:
 - details of the location, management and maintenance of Asset Protection Zones;
 - a list of works that must not be carried out during a total fire ban;
 - 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; and
 - (e) include an Emergency Services Information Package, prepared in accordance with *Emergency services information package and tactical fire plan* (Fire & Rescue NSW, 2019).

The Applicant must:

- (a) implement the revised Emergency Response Plan for the duration of the development;
- (b) provide a copy to the local Fire Control Centre and Fire & Rescue NSW; and
- (c) following commencement of operations of the battery storage, keep a copy of the Emergency Services Information Package on-site in a prominent position adjacent to the site entry point at all times.

Fire Safety Study

- 27. Prior to commencing construction of the battery storage, unless the Planning Secretary agrees otherwise, the Applicant must prepare a Fire Safety Study to the satisfaction of the Planning Secretary, in consultation with Fire & Rescue NSW. The study must:
 - (a) be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study'* guideline;
 - (b) be consistent with the NSW *'Best Practice Guidelines for Contaminated Water Retention and Treatment Systems'*.
 - (c) describe the final design of the battery storage;
 - (d) include reasonable worst-case fire scenario to and from the battery storage and the associated fire management;
 - (e) identify measures to eliminate the expansion of any fire incident including:
 - adequate fire safety systems and water supply;
 - separation and / or compartmentalisation of battery units; and
 - strategies and incident control measures specific to the battery storage design.

Following approval by the Planning Secretary, the Applicant must implement the measures described in the Fire Safety Study.

Note: to satisfy 'in consultation with Fire & Rescue NSW' above, the Applicant should provide confirmation in writing from Fire & Rescue NSW that the Study meets the requirements of Fire & Rescue NSW.

Final Hazard Analysis

28. Prior to commencing construction of any flow battery storage, unless the Planning Secretary agrees otherwise, the Applicant must prepare a Final Hazard Analysis in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis'* to the satisfaction of the Planning Secretary.

Following approval, the Applicant must implement the Final Hazard Analysis.

Safety Management System

29. Prior to commencing commissioning of any flow battery storage, the Applicant must prepare and implement a Safety Management System in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'* to the satisfaction of the Planning Secretary.

Following approval, the Applicant must implement the Safety Management System.

WASTE

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

ACCOMMODATION AND EMPLOYMENT STRATEGY

31. 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 Planning Secretary. This strategy must:
- (a) provide updated estimates of the likely accommodation demand of the development, including consideration of the potential interaction with Sunraysia Solar Farm and the Balranald Mineral Sands Mine, in consultation with the applicant of that project;
 - (b) investigate options for maximising the use of available accommodation within Balranald during construction of the development;
 - (c) propose a strategy to facilitate the accommodation of the workforce associated with the development;
 - (d) investigate options for prioritising the employment of local workers for the construction and operation of the development where feasible; and
 - (e) include a program to monitor and review the effectiveness of the strategy over the life of the development.

Following the Planning Secretary's approval, the Applicant must implement the strategy.

DECOMMISSIONING AND REHABILITATION

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

Table 2: Rehabilitation Objectives

Feature	Objective
Development site (as a whole)	<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 battery storage infrastructure	<ul style="list-style-type: none">• To be decommissioned and removed, unless the Planning Secretary agrees otherwise
Land use	<ul style="list-style-type: none">• Restore land capability to pre-existing agricultural use
Community	<ul style="list-style-type: none">• Ensure public safety

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to the commencement of 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:
 - 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 [Planning Secretary's](#) approval, the Applicant must implement the Environmental Management Strategy.

Revision of Strategies and Plans

2. The Applicant must:
 - (a) update the strategies and plans 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 and plans required under this consent to the satisfaction of the [Planning Secretary](#) within 1 month of the:
 - submission of an incident report under condition 3 below; or
 - any modification to the conditions of consent.

COMPLIANCE

Incident Notification

3. The [Planning Secretary](#) must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

NON-COMPLIANCE NOTIFICATION

4. The [Planning Secretary](#) must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- 4A. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- 4B. A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.

INDEPENDENT ENVIRONMENTAL AUDIT

5. Independent Audits of the development must be conducted and carried out at the frequency and in accordance with the *Independent Audit Post Approval Requirements* (2020).

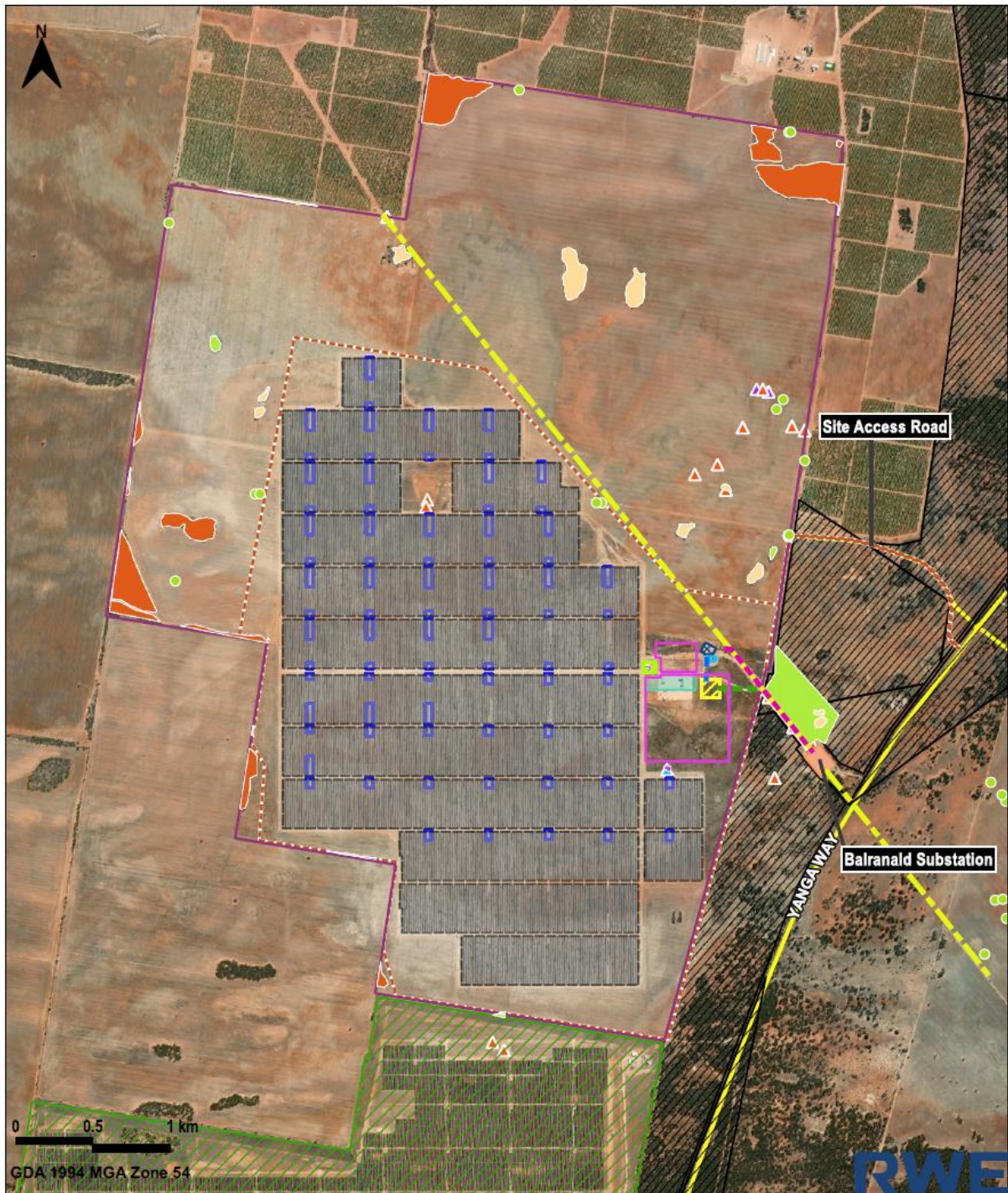
In addition, a Hazard Audit prepared by a suitably qualified person must be conducted and carried out within 12 months of commencing operations of any flow battery in accordance with the:

- (a) Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines'*; and
 - (b) *Independent Audit Post Approval Requirements* (2020) (excluding audit frequencies).
- 5A. Proposed independent auditors must be agreed to in writing by the Planning Secretary prior to the commencement of an Independent Audit.
- 5B. The Planning Secretary may require the initial and subsequent Independent Audits to be undertaken at different times to those specified in condition 5 of Schedule 4 upon giving at least 4 weeks' notice to the Applicant of the date upon which the audit must be commenced.
- 5C. In accordance with the specific requirements in the *Independent Audit Post Approval Requirements* (2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition 5 of Schedule 4 of this consent, or condition 5B of Schedule 4 where notice is given by the Planning Secretary;
 - (b) submit the response to the Planning Secretary; and
 - (c) make each Independent Audit Report, and response to it, publicly available within 60 days of submission to the Planning Secretary, unless otherwise agreed by the Planning Secretary.
- 5D. Independent Audit Reports and the Applicant's response to audit findings must be submitted to the Planning Secretary within 2 months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approvals Requirements* (2020) unless otherwise agreed by the Planning Secretary.
- 5E. Notwithstanding the requirements of the *Independent Audit Post Approvals Requirements* (2020), the Planning Secretary may approve a request for ongoing independent operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that independent operational audits have demonstrated operational compliance.

ACCESS TO INFORMATION

6. The Applicant must:
- (a) make the following information publicly available on its website as relevant to the stage of the development:
 - the EIS;
 - the final layout plans for the development;
 - current statutory approvals for the development;
 - 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;
 - any other matter required by the Planning Secretary; and
 - (b) keep this information up to date.

APPENDIX 1: GENERAL LAYOUT OF DEVELOPMENT & SCHEDULE OF LANDS



Source: RWE(2022), EMM(2017), Biosis(2017), GA(2016), LPMA(2011), DECCW(2010), State of New South Wales (Spatial Services, a business unit of the Department of Customer Service NSW)

KEY			
 Site Boundary	 Indicative Layout Lithium and Flow AC Zone	 Connection Option 2 (Underground - AC Option Only)	 Vegetation Type
 Development Footprint (1,025 ha)	 Indicative Layout DC Option	 220kV Transmission Line	 PCT 16 - Black Box grassy open woodland
 Constructed Solar Tracking Layout	 Indicative BESS Zone Substation	 Travelling Stock Reserves	 PCT170 - Chenopod sandplain mallee
 Sunraysia Solar Farm	 Indicative Laydown Yard	 Connection Option 1 (Aboveground or Underground - AC Option Only)	 PCT23 - Yarran tall open shrubland
 Filters	 Original Approved Underground Connection	▲ House - ruins	 PCT58 - Black Oak - Western Rosewood open woodland (including derived grassland)
 Office And Maintenance Compound	 Switch Yard	▲ Aboriginal heritage site /artefact	 Woody weeds/planted vegetation
		▲ AHIMS Sites	● Scattered paddock trees (hollow bearing)

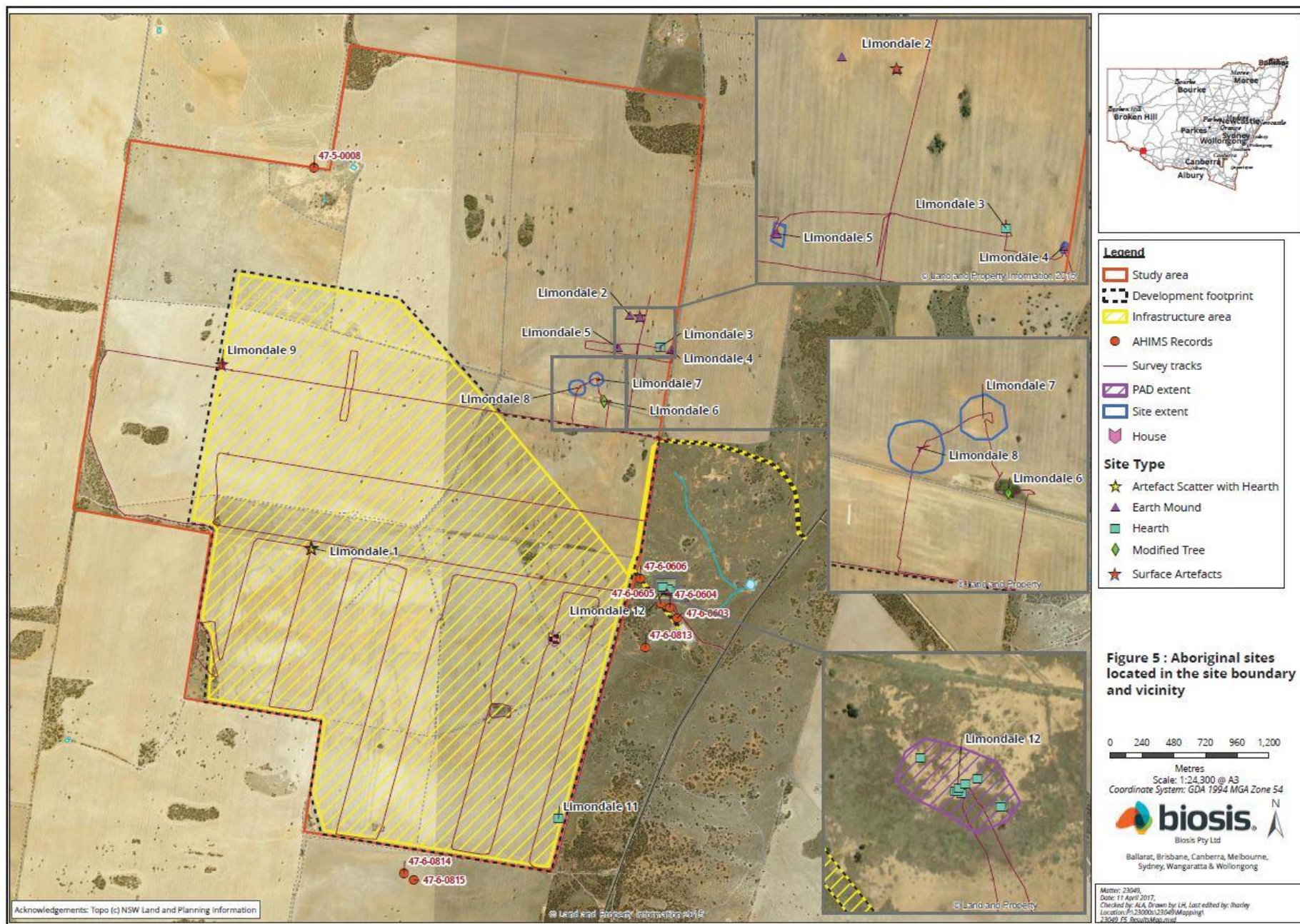
Schedule of Lands – Project Site

Lot Number	Deposit Plan (DP)
4, 12, 13, 15, 21, 71	751179
11, 12	751173
2	1017111
1, 2	1190069
7306	1158277
7307	1158277
48	1015985

APPENDIX 2: ABORIGINAL HERITAGE SITES

Aboriginal Heritage Sites - Avoid Impact

Site
L2, L3, L4, L5, L6, L7, L8, L12, 47-5-008, 47-5-0604, 47-6-0603



APPENDIX 3: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition 5 of Schedule 4 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.