

Development Consent

Section 4.38 of the *Environmental Planning & 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 and/or offset 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.

[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-8911

Applicant: Sundown SF Subco Pty Ltd

Consent Authority: Independent Planning Commission of NSW

Land: See Appendix 2

Development: Sundown Solar Farm

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DEFINITIONS

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 and internal roads
Applicant	Sundown SF Subco Pty Ltd or any person who seeks to carry out the development approved under this consent
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 Schedules 1 and 2
Consent authority	Independent Planning Commission of NSW
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	Inverell Shire Council
CPHR	Conservation Programs, Heritage and Regulation Group within NSW DCCEE
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: General Layout of Development)
EIS	The Environmental Impact Statement for Sundown Solar Farm dated 1 May 2023, the Submissions Report dated 13 June 2025, and the additional information provided to the Department by the Applicant dated 9 July 2025, 6 August 2025, 26 August 2025, 27 August 2025, 17 September 2025, 15 October 2025, and 5 December 2025.
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
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 cm (i.e. no vegetation >10cm)
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 not more than 8 tonnes and with not more than 2 axles
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 a NSW exemption notice on the NHVR website and including High-risk heavy vehicles requiring escort
Heritage NSW	Heritage NSW Group within NSW DCCEE
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 be or cause a non-compliance
Light vehicle	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: • involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment) Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval. Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements
Maximum Energy Discharge Capacity (MW)	Is the rated output active power as defined by 4.3.5 of IEC 62933-1 Ed. 2.0 b:2024, <i>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 IEC 62933-1 Ed. 2.0 b:2024, <i>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	Means: • A residence on privately-owned land in respect of which the owner has not reached an agreement with the applicant in relation to the development (as provided by this consent) or • A residence on privately-owned land in respect of which the owner has reached an agreement with the applicant in relation to the development (as provided by this consent), but the agreement does not cover the relevant impact or the performance measure for such impact under that agreement has been exceeded
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
NSW DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
Operation	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: • artefact surveys and/or salvage; • overhead line safety marking; • building and road dilapidation surveys; • geotechnical drilling, excavation or salvage; and • 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
RAP	Registered Aboriginal Party
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	NSW Rural Fire Service

Site	As shown in Appendix 1: General Layout of Development and listed in Appendix 2: Schedule of Lands
Solar and BESS component	Solar arrays, battery energy storage system, operational buildings, road upgrades, transmission connection, construction compound and storage laydown areas
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles laydown areas and parking spaces
TfNSW	Transport for New South Wales
Upgrading	The replacement of solar panels and ancillary infrastructure on site (excluding maintenance) in accordance with the conditions of this consent
Vehicle movement	One vehicle entering and leaving the site
VPA	Voluntary Planning Agreement
Water Group	Water Group within NSW DCCEEW
Works	Any physical activity for the purpose of the development including road upgrades, construction and pre-construction minor works

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, rehabilitation or decommissioning 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: General Layout of Development.
- 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 150 MW and a Maximum Energy Storage Capacity of 600 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 discharge and storage capacity prescribed in condition 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*

PROTECTION OF PUBLIC INFRASTRUCTURE

A9. 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

A10. 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

A11. The Applicant may subdivide land comprising the site for the purposes of carrying out the development as generally identified in Appendix 3: Subdivision 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

A12. 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

A13. The Applicant must ensure that all of its employees, 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

A14. 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 that 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

A15. Unless the Planning Secretary agrees otherwise, prior to commencing construction, the Applicant must enter into a 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 16 December 2025, as specified in Appendix 4: Terms of Applicant's VPA Offer.

PART B ENVIRONMENTAL CONDITIONS

TRANSPORT

Heavy Vehicles Requiring Escort and Heavy Vehicle Restrictions

- B1. The Applicant must ensure that the:
- (a) development does not generate more than:
 - (i) 100 heavy vehicle movements a day during construction, upgrading or decommissioning; and
 - (ii) 4 movements of heavy vehicles requiring escort (including high-risk heavy vehicles requiring escort) during construction, upgrading and decommissioning; and
 - (b) length of any vehicles (excluding heavy vehicles requiring escort and high-risk heavy vehicles requiring escort) used for the development does not exceed 19 metres, unless the Planning Secretary agrees otherwise.
- B2. The Applicant must keep accurate records of the number of heavy vehicles, heavy vehicles requiring escort and high-risk heavy vehicles requiring escort 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 all light vehicles associated with the development must only travel to and from the site via Gwydir Highway, Spring Mountain Road and Sturmans Road; and
 - (b) all heavy vehicles requiring escort and high-risk heavy vehicles requiring escort associated with the development must only travel to and from the site via the routes identified in Figure 1 in Appendix 5: Road Upgrades and Site Access.

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

Site Access

- B4. All vehicles associated with the development must enter and exit the site via the Primary Project Access point as identified in Appendix 1: General Layout of Development.

Note: Other site access points may be used for emergency purposes as identified in Appendix 1: General Layout of Development of this consent.

Road Upgrades

- B5. Unless the Planning Secretary agrees otherwise, the Applicant must complete the road upgrades as detailed in Appendix 5: Road Upgrades and Site Access, in accordance with the relevant standard and timing requirements in Appendix 5: Road Upgrades and Site Access.

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

Road Upgrades: Heavy Vehicles and High-Risk Heavy Vehicles Requiring Escort

- B6. Prior to the use of heavy vehicles requiring escort and high-risk heavy vehicles requiring escort on the public road network, all relevant approvals must be obtained and implemented (specifically for the use of roads, and any road upgrades that may be required, from the point of origin to the approved site access points).

Note: this Development Consent does not provide consent for the use of the public road network, or any upgrades, for heavy vehicles, heavy vehicles requiring escort and high-risk heavy vehicles requiring escort on the over dimensional transport routes identified in the EIS, with the exception of the road upgrades described in condition B5 of this consent.

Road Maintenance

- B7. The Applicant must, in consultation with the relevant roads authority:
- (a) undertake an independent dilapidation survey to assess the:
 - (i) condition of Sturmans Road and Spring Mountain Road along the transport route identified in Appendix 5: Road Upgrades and Site Access, following any upgrades in accordance with condition B5 of this consent, and prior to construction, upgrading and decommissioning

- activities; and
- (ii) condition of Sturmans Road and Spring Mountain Road along the transport route identified in Appendix 5: Road Upgrades and Site Access, following the completion of construction, upgrading and decommissioning activities;
- (b) on completion of the dilapidation reports undertaken in accordance with condition B7(a)(i) and (ii), a copy must be provided to the relevant roads authority; and
- (c) repair and/or make good any development-related damage to Sturmans Road and Spring Mountain Road along the transport route identified in Appendix 5: Road Upgrades and Site Access, if dilapidation surveys identified that roads have been damaged during construction, upgrading or decommissioning works.

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

Traffic Management Plan

B9. Prior to commencing the road upgrades identified in condition B5 of this consent, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW, Inverell Shire Council and Glen Innes Severn Council, and to the satisfaction of the Planning Secretary. This plan must include:

- (a) details of the transport route(s) to be used for all development related traffic;
- (b) details and timing of the road upgrade works required by condition B5 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) temporary traffic controls, including detours and signage;
 - (iii) a temporary design layout (including temporary traffic controls) for the duration of the traffic control signals at Lou Swan Way / Alice Street, Moree signalised intersection closure;
 - (iv) notifying the local community about project-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) details of any 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 service, and monitoring measures;
 - (x) measures for managing light vehicle peak numbers, including carpooling, ride sharing and/or shuttle buses by employees;
 - (xi) scheduling of heavy vehicle movements to minimise convoy length or platoons, and to minimise conflict with light vehicles;
 - (xii) responding to local climate conditions that may affect road safety such as fog, dust, wet weather;
 - (xiii) responding to any emergency repair or maintenance requirements;

- (xiv) measures to minimise dust generated by construction traffic;
- (xv) a traffic management system for managing heavy vehicle and high-risk heavy vehicles requiring escort;
- (e) a driver's code of conduct that addresses:
 - (i) driver fatigue;
 - (ii) procedures to ensure that drivers 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.

BIODIVERSITY

Vegetation Clearance

- B10. The Applicant must not clear any native vegetation or fauna habitat located outside the approved disturbance areas described in the EIS.

Biodiversity Offsets

- B11. Prior to carrying out any works 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 1 and Table 2.

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 | Ecosystem Credit Requirements

Plant Community Types (PCT)	Hollow Bearing Tree (HBT) Credits	Non-HBT Credits	Total Credits Required
84 - Rough-barked Apple – red gum – box riparian tall woodland (wetland) of the Brigalow Belt South Bioregion and Nandewar Bioregion	5	0	5
510 - Blakely's Red Gum – Yellow Box grassy woodland of the New England Tableland Bioregion	94	4	98
571 - Ribbon Gum – Rough-barked Apple – Yellow Box grassy woodland of the New England Tableland Bioregion and NSW North Coast Bioregion	11	0	11
590 - White Box grassy woodland on the Inverell basalts mainly in the Nandewar Bioregion	74	27	101

Table 2 | Species Credit Requirements

Species Impacts	Credits Required
Blue Grass (<i>Dichanthium setosum</i>)	673
Austral Toadflax (<i>Thesium australe</i>)	521

- B12. Prior to carrying out any works that could directly or indirectly impact the biodiversity values requiring offset, the Applicant must provide evidence to the Planning Secretary that biodiversity credits have been retired.

Biodiversity Management Plan

- B13. Prior to carrying out any works that could directly or indirectly impact biodiversity values, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with CPHR, 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 *Biodiversity Development Assessment Report* (dated 13 June 2025);
 - (c) include a description of the measures and timeframes that would be implemented for:
 - (i) protecting vegetation and fauna habitat outside the approved disturbance areas;
 - (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 of the development on threatened flora and fauna species within the development footprint and its surrounds;
 - (v) avoiding the removal of hollow-bearing trees during Spring to avoid the main breeding period for hollow-dependent fauna;
 - (vi) protection of downstream aquatic habitat including key fish habitat through exclusion zones and revegetation;
 - (vii) rehabilitating and revegetating temporary disturbance areas with native species appropriate to the site's ecology and conditions;
 - (viii) minimising the impacts to fauna on site and implementing fauna management protocols;
 - (ix) maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and
 - (x) controlling weeds, feral pests and pathogens;
 - (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 to identify, avoid, minimise and/or offset options to be implemented if additional threatened species are discovered on site;
 - (f) include details of who would be responsible for monitoring, reviewing and implementing the plan; and
 - (g) include details of the proposed perimeter fencing, including details of proposed locations and design of fauna crossing points and other design measures to minimise impacts on wildlife.

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

HERITAGE

Protection of Heritage Items

- B14. The Applicant must ensure the development does not cause any direct or indirect impacts to Aboriginal heritage items identified in Table 1 of Appendix 6: Heritage, or any heritage items located outside the approved development footprint.

Heritage Management Plan

- B15. 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 person/s whose appointment has been endorsed by the Planning Secretary in writing;
 - (b) be prepared in consultation with RAPs and reviewed by Heritage NSW;
 - (c) include a description of the measures that would be implemented for:
 - (i) the reasonable and feasible measures that would be implemented to avoid harm to Aboriginal objects/sites located outside the approved development footprint, including fencing off the Aboriginal heritage items identified in Table 1 of Appendix 6: Heritage of this consent prior to commencing construction;
 - (ii) development of a surface collection and salvage methodology for the relevant Aboriginal

- objects and sites listed in Appendix 6: Heritage of this consent;
- (iii) a strategy for the short-term and long-term management of any Aboriginal objects salvaged under approval;
- (iv) post-excavation analysis and reporting of any archaeological investigations;
- (v) include measures to implement the recommendations of the Statement of Heritage Impact, including archival recording and investigation;
- (vi) a contingency plan and reporting procedure if:
 - heritage items outside the approved development footprint are damaged;
 - previously unidentified heritage items (including non-Aboriginal heritage items) are found; or
 - unexpected human remains are discovered;
- (vii) ensuring workers on site receive suitable heritage inductions for both Aboriginal and non-Aboriginal heritage prior to carrying out any works on site, and that records are kept of these inductions; and
- (viii) ongoing consultation with Aboriginal stakeholders during the implementation of the plan;
- (d) include a program to monitor and report on the effectiveness of these measures and any heritage impacts of the project.

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

LANDSCAPING

Land Management

- B16. The Applicant must maintain the agricultural land capability of the site, including:
- (a) establishing the ground cover of the site within 3 months following the completion of any construction or upgrading;
 - (b) properly maintaining the ground cover with appropriate perennial species and weed management; and
 - (c) maintaining grazing within the development footprint, where practicable, over the operational life of the development;
- unless the Planning Secretary agrees otherwise.

AMENITY

Visual

- B17. The Applicant must:
- (a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection;
 - (b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as reasonable and feasible with the surrounding landscape; and
 - (c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

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. The Applicant may only undertake road upgrades, construction, upgrading, commissioning or decommissioning activities on site between:

- (a) 7 am to 6 pm Monday to Friday;
- (b) 8 am to 1 pm Saturdays; and
- (c) at no time on Sundays and NSW public holidays.

Exceptions to Construction Hours

B20. The following activities may be carried out outside the hours specified in condition B19 of this consent:

- (a) commissioning 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 consent 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 and will be undertaken;
- (d) accompanied by evidence that all feasible and reasonable noise mitigation 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.

Noise

B22. The Applicant must:

- (a) minimise the noise generated by any 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 3 below, to be determined in accordance with the procedures in the *NSW Noise Policy for Industry* (EPA, 2017) at any non-associated residences.

Table 3 | 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

Vibration

B23. The Applicant must meet safe working distances for vibration generating equipment from sensitive receivers (including heritage items) as required by Table 2 of the *NSW Construction Noise and Vibration Guideline*.

Dust

B24. The Applicant must minimise the dust generated by the development, including measures ensuring:

- (a) activities are carried out on site in a manner that minimises dust generation, including emissions of windblown and/or traffic-generated dust;
- (b) development-related vehicles leaving the site:
 - (i) have any loads covered and
 - (ii) minimise dirt being stacked onto the public road network; and
- (c) 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.

B26. Prior to the use of groundwater for construction, the Applicant must ensure all proposed bores are compliant with:

- (a) the Minimum Construction Requirements for Water Bores in Australia (Fourth Edition, 2020); and
- (b) Part 9: Rules for Water Supply Work Approval of the Water Sharing Plan for the NSW Murray-Darling Fractured Rock Groundwater Sources (2020).

Water Pollution

B27. The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.

Operating Conditions

B28. The Applicant must:

- (a) minimise any erosion and control sediment generation;
- (b) ensure any solar panels and 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 *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;
- (c) ensure the solar panels and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site;
- (d) ensure the solar panels and ancillary infrastructure do not cause any increased water being diverted off the site or alter hydrology off site;
- (e) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site;
- (f) ensure all works within waterfront land are undertaken in accordance with the applicable *Guidelines for Controlled Activities on Waterfront Land* (DPE, 2022); and
- (g) ensure the design of all waterway crossings (including internal tracks and cables) is in accordance with the documents *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 Conservation and Management* (Update 2013) and does not materially alter the hydrological characteristics of the site or surrounds.

Soil and Water Management Plan

- B29. Prior to commencing construction, the Applicant must prepare a Soil and Water Management Plan for the development in consultation with NSW DCCEEW 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 B28 (a) – (g) of this consent 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.

Flood Management

- B30. Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP) for the development. 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 (DPE, 2023);
 - (c) consider isolation, access and evacuation during extreme events up to and including the probable maximum flood;
 - (d) be consistent with the Local Flood Plan and/or the State Emergency Service flood emergency strategy for the area; and
 - (e) include details of:
 - (i) the flood emergency responses for the construction of 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) periodic reviews of the plan, including following a significant flood event.
 - (f) The Applicant must:
 - (i) submit a copy of the FERP to the Planning Secretary prior to the commencement of construction; and
 - (ii) implement the most recent version of the FERP submitted to the Planning Secretary for the duration of construction.

Unexpected Finds

- B31. 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

- B32. A fire safety study must be prepared for the development. The study must:
- (a) be submitted to the Planning Secretary 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 most 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 B32, 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 Materials

- B33. 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.
- B34. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from condition B34 (a) and (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Operating Conditions

- B35. The development must:
- (a) include a minimum 10 metre wide trafficable fire break around the perimeter of the solar and BESS area that permits unrestricted vehicle access and movement;
 - (b) be managed as per the Asset Protection Zone standards in accordance with *Planning for Bushfire Protection* (RFS, 2019, or equivalent);
 - (c) include provision for a minimum 80,000 litre water supply tank(s) fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located adjacent to an internal road; and
 - (d) provide internal access roads complying with the requirements of Table 7.4a of *Planning for Bushfire Protection* (RFS, 2019, or equivalent).

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

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, 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 B32 of this consent;
 - (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; and
 - (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); and
- (i) include an Emergency Services Information Package in accordance with *Emergency services information package and tactical fire plan* (FRNSW, 2019); 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.

ACCOMMODATION AND EMPLOYMENT STRATEGY

- B37. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Inverell Shire Council and Glen Innes Severn Council. 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 regular monitoring and review during construction.
 - (e) The Applicant must provide a copy of the Accommodation and Employment Strategy to the Planning Secretary prior to commencing construction and implement the plan.

WASTE

Waste Management Plan

- B38. The Applicant must prepare and implement a Waste Management Plan prior to commencing construction which must:
- (a) be prepared in consultation with Inverell Shire Council and, where necessary, Glen Innes Severn Council;
 - (b) be consistent with the EIS;
 - (c) identify opportunities to maximise recycling;
 - (d) identify appropriately licensed waste and resource management facilities at which waste disposal and recycling will take place; and
 - (e) include a description of measures that will be implemented to ensure that the following objectives are achieved:
 - (iii) minimise the waste generated by the development;
 - (iv) classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - (v) store and handle all waste on site in accordance with its classification;
 - (vi) not receive or dispose of any waste on site; and
 - (vii) 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.

DECOMMISSIONING AND REHABILITATION

- B39. 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 4.

Table 4 | Rehabilitation Objectives

Feature	Objective
Site	• Safe, stable and non-polluting • Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use
Solar farm and ancillary infrastructure	• All infrastructure including above and below ground to be decommissioned and removed to a depth of 500 mm, unless the Planning Secretary agrees otherwise.
Land use	• Restore land capability to pre-existing productive capacity
Community	• Ensure public safety at all times

PART C ENVIRONMENTAL MANAGEMENT AND REPORTING

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; and
 - (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.
 - (f) 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 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 NSW Major Projects Planning 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 NSW Major Projects Planning Portal.

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 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 Major Projects Planning Portal and address details of the incident including:

- (a) date, time and location;
- (b) a brief description of what occurred and why it has been classified as an incident;
- (c) a description of what immediate steps were taken in relation to the incident; and
- (d) 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 7: Incident Notification and Reporting Requirements.

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 Major Projects Planning Portal. 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

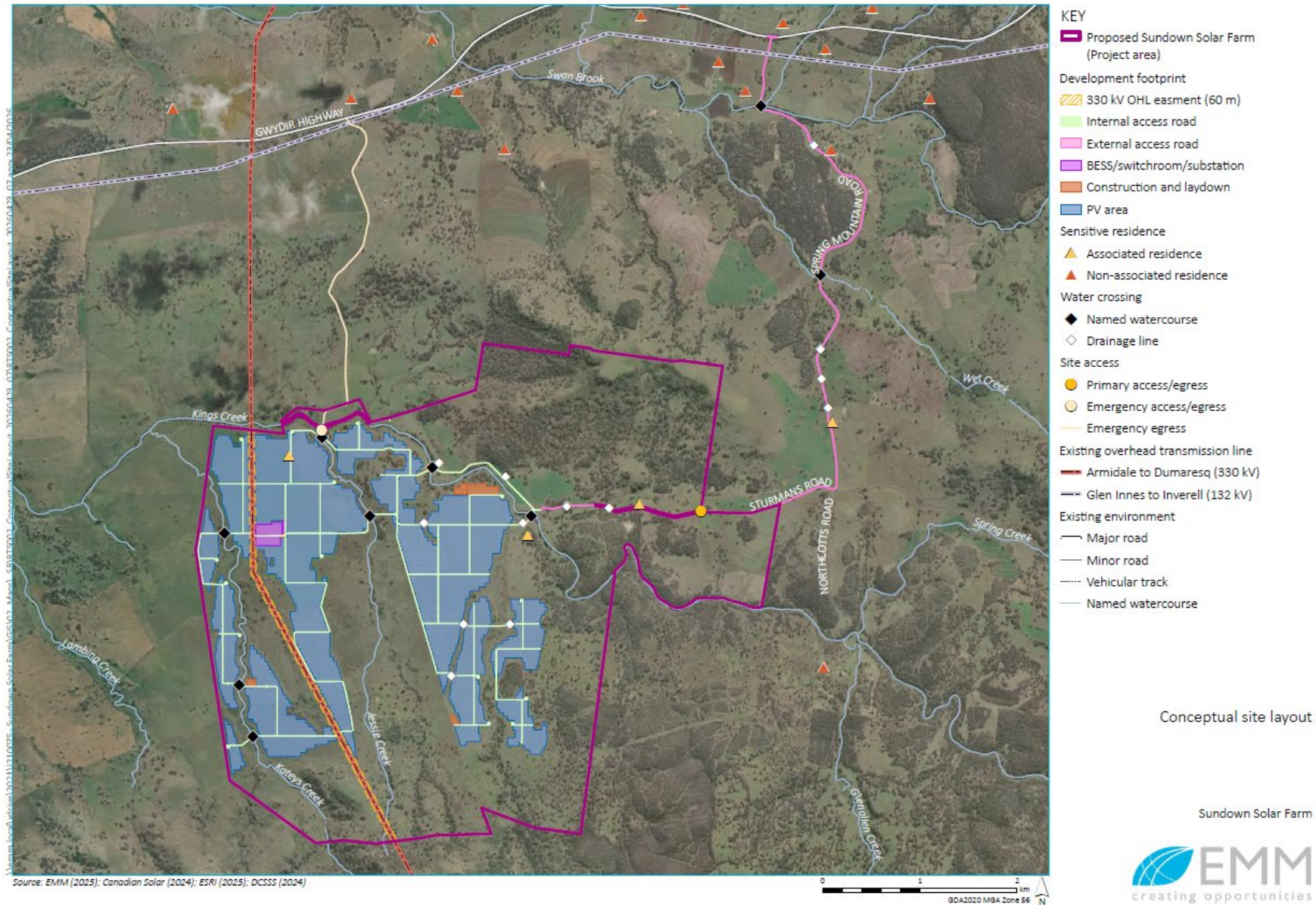
- C13. Independent Environmental Audits of the development must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements* (2020) or as updated from time to time and published on the Department's website.

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, 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.

APPENDIX 1: GENERAL LAYOUT OF DEVELOPMENT



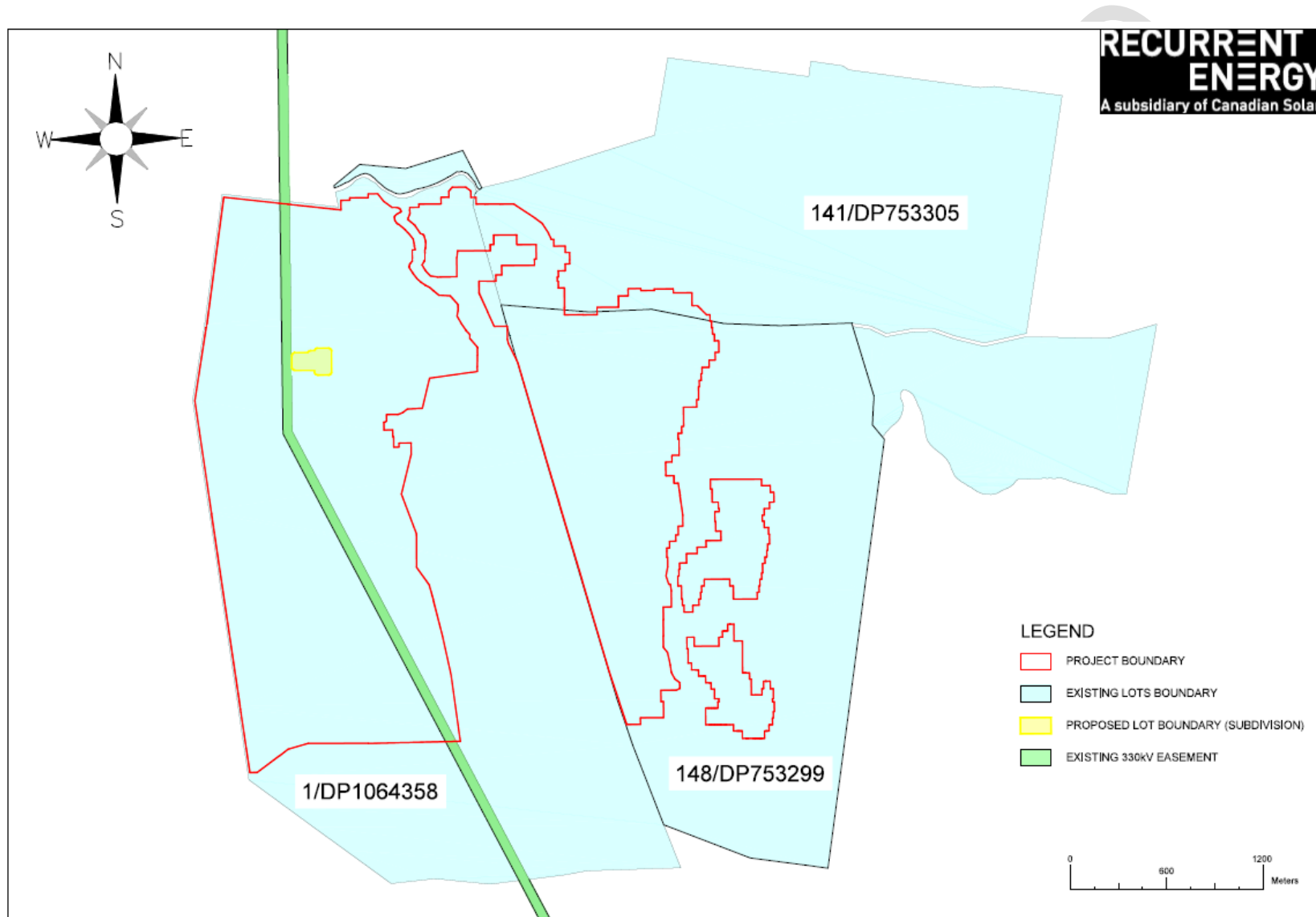
APPENDIX 2: SCHEDULE OF LANDS

Lot Number	Deposited Plan (DP)
148	753299
141	753305
1	1064358
142	753305
1	624913
1	1064358
Gwydir Highway, Spring Mountain Road and Sturmans Road road reserves	

Notes:

- *The project site will also be taken to include any Crown land and road reserves contained within the site.*
- *Any inclusion of Crown roads in the project is subject to road closing application by the landholder and any works on Crown land requires Crown Lands licence to be obtained prior to commencing construction of works or road upgrades on any Crown lands.*

APPENDIX 3: SUBDIVISION



APPENDIX 4: TERMS OF APPLICANT'S VPA OFFER

16 December 2025

Greg Doman

Inverell Shire Council - Director Environmental Services

PO Box 138 Inverell NSW 2360

E: gregory.doman@inverell.nsw.gov.au

Sundown Solar Farm - Planning Agreement - Letter of Offer

Dear Mr Doman,

Sundown SF Subco Pty Ltd ATF Sundown SF Unit Trust (an entity within Recurrent Energy) is seeking development consent for the construction, operation, and decommissioning of Sundown Solar Farm SSD - 8911 (the Project).

The Project involves up to 360 megawatts (MW) of solar generation as well as a Battery Energy Storage System (BESS). The Project is located wholly within the Inverell Shire Council local government area.

As per similar correspondence with Council, pursuant to Section 7.4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Sundown is offering to enter into a Planning Agreement with Inverell Shire Council for the Project in general accordance with:

- NSW Government's Benefit Sharing Guideline (Department of Planning, Housing and Infrastructure, 2024)
- Inverell Shire Councils Renewable Energy – Community Benefit Sharing Framework Policy

Specifically, this Planning Agreement will include the following general terms:

1. **Developer Contribution**: An annual contribution of \$850 per MW of installed AC solar capacity.
2. **Payment Commencement and Duration**: Initial payment will be within 20 business days of commencing construction of the main Sundown Solar Farm and then annual contributions on 1 July for the life of the project.
3. **Indexation**: Adjustments will be made each 1 July by the percentage change in the Consumer Price Index (All Groups, Sydney) over the 12 months to the preceding March quarter as published by the Australian Bureau of Statistics

The above will be formalised within a formal Planning Agreement to be executed between Recurrent Energy and Council.

Pursuant to Section 7.4(2) of the EP&A Act, the developer contributions must be used by the parties to the Planning Agreement for a public purpose. The final Planning Agreement for the Project will address the matters described in Section 7.4(3) of the EP&A Act. However, for clarity, this offer wholly excludes the following provisions of the EP&A Act from application to the Project:

- Section 7.11 - *Contribution towards provision or improvement of amenities or services,*
- Section 7.12 - *Fixed development consent levies,*
- Division 7.1, Subdivision 4 - *Housing and productivity contributions.*

Should the Project be granted development consent by the Department of Planning, Housing and Infrastructure under the Independent Planning Commission, Recurrent Energy will continue to work with Council to finalise the agreement in the terms set out in this letter of offer and in accordance with the requirements of the EP&A Act and the conditions of any development consent for the Project.

We look forward to continuing to work collaboratively and transparently with Council on the implementation of the Planning Agreement and the development of the Sundown Solar Farm.

Regards



Angus King

Senior Manager- Planning

APPENDIX 5: ROAD UPGRADES AND SITE ACCESS

Table 5 | Site Access and Road Upgrades

Road / Intersection	Location	Upgrade Requirements	Timing of Requirement
Gwydir Highway / Spring Mountain Road, Spring Mountain	Intersection of Gwydir Highway and Spring Mountain Road, as shown in Figure 1, Appendix 5.	Standard Channelised Right (short) (CHR(s)) and Basic Left (BAL) turn treatments.	Prior to commencement of construction works.

Table 6 | Heavy Vehicle Requiring Escort Road Upgrades

Road / Intersection	Location	Upgrade Requirements	Timing of Requirement
Bettington Street, Merriwa	Bettington Street, Merriwa, near intersection with Vennacher Street	Removal and replacement of pedestrian refuge on Bettington Street.	Prior to high-risk heavy vehicle(s) requiring escort movement. Replacement of refuge within thirty (30) days following completion of high-risk heavy vehicle(s) requiring escort movement, in consultation and with approval from the relevant roads authority and TfNSW.
Edwards Street and Namoi Street, Coonabarabran	Intersection of Edwards Street and Namoi Street, Coonabarabran	Provision of hardstand and trimming / removal of trees.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort.
Baradine Road, Namoi Street and Saleyards Road, Coonabarabran	Intersection of Baradine Road, Namoi Street and Saleyards Road, Coonabarabran	Provision of hardstand.	Prior to the use of intersection by high-risk heavy vehicle(s) requiring escort.
Newell Highway and Gardener Street, Coonabarabran	Intersection of Newell Highway and Gardener Street, Coonabarabran	Widening throat of intersection.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Hard stand material to be removed within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Oxley Highway and Newell Highway, Coonabarabran	Intersection of Oxley Highway and Newell Highway, Coonabarabran	Removal and replacement of median on Newell Highway.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of median within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Newell Highway, Kamilaroi Highway and Kelvin Vickery Avenue, Narrabri	Roundabout at the intersection of Newell Highway, Kamilaroi Highway and Kelvin Vickery Avenue, Narrabri	Provision of hardstand, removal and replacement of existing roundabout apron and reduction in splitter island size.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of splitter island within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Newell Highway, Old Turrawan	Roundabout at the intersection of	Provision of hardstand and removal and	Prior to use of intersection by high-

Road and Mooloolbar Street, Narrabri	Newell Highway, Old Turrawan Road and Mooloolbar Street, Narrabri	replacement of existing roundabout apron.	risk heavy vehicle(s) requiring escort. Replacement of splinter island within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Killarney Street, Tibbereena Street and Barwan Street, Narrabri	Intersection of Killarney Street and Tibbereena Street and intersection of Killarney Street and Barwan Street, Narrabri	Removal and replacement of median and part removal of concrete apron.	Prior to use of intersections by high-risk heavy vehicle(s) requiring escort. Replacement of median and concrete apron within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Lou Swan Way and Alice Street, Moree	Intersection of Lou Swan Way and Alice Street, Moree	Removal and replacement of Traffic Control Signals.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of Traffic Control Signals within forty-eight (48) hours following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from TfNSW.
Warialda Road, Inverell	Warialda Road between Auburn Vale Road and Rosslyn Street, Inverell	Removal of concrete median and garden bed and provision of hardstand.	Prior to the high-risk heavy vehicle(s) requiring escort movement. Replacement of median and garden bed within thirty (30) days following movement, in consultation and with approval from Council and TfNSW.
Brae Street and Warialda Road, Inverell	Intersection of Brae Street and Warialda Road, Inverell	Removal and replacement of median and garden bed in Warialda Road	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of median, structures and garden bed within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from Council and TfNSW.
Warialda Road, Byron Street and Campbell Street, Inverell	Intersection of Warialda Road, Campbell Street and Byron Street, Inverell.	Removal and replacement of medians, trimming or removal of vegetation, provision of hardstand, removal and replacement of roundabout apron and realignment of roundabout kerb.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of median, concrete apron and garden bed within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from Council and TfNSW.
Glen Innes Road, Henderson Street and Otho Street, Inverell	Intersection of Glen Innes Road, Henderson Street and Otho Street Inverell	Provision of hardstand and removal and replacement of concrete splinter islands.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of splinter islands within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.
Spring Mountain Road, Swan Vale	Swan Brook Watercourse crossing along Spring Mountain	Upgrades to the watercourse crossing to accommodate OSOM vehicle loads and realignment of road.	Prior to use of watercourse crossing by high-risk heavy vehicle(s) requiring escort.

	Road, Swan Vale		
John Renshaw Drive and Hunter Expressway, Buchanan	Intersection of John Renshaw Drive and Hunter Expressway, Buchanan	Laying of asphalt within annulus of roundabout.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort.
Putty Road, Mount Thorley	Putty Road, near the intersection of Jerrys Plains Road and Putty Road, Mount Thorley	Removal and replacement of median on Putty Road.	Prior to use of intersection by high-risk heavy vehicle(s) requiring escort. Replacement of median within thirty (30) days following use of intersection by high-risk heavy vehicle(s) requiring escort, in consultation and with approval from the relevant roads authority and TfNSW.

Table 7 | Road Widening Requirements

Road / Intersection	Location	Upgrade Requirements	Timing of Requirement
Spring Mountain Road	Spring Mountain Road between Gwydir Highway, Swan Vale and Sturman Road, Spring Mountain.	Upgrade road to an 8.7 metre wide gravel formation and upgrades to culvert and creek bed crossings.	Prior to commencement of construction works.
Sturmans Road	Sturmans Road from Spring Mountain Road to the site.		

Table 8 | Road Sealing Requirements

Road / Intersection	Location	Upgrade Requirements	Timing Requirements
Spring Mountain Road, Swan Vale	Spring Mountain Road, Swan Vale, adjacent to 155 Spring Mountain Road, Swan Vale.	Sealing of 150 metres of road in accordance with Council specifications.	Prior to commencement of construction works.

Figure 1. Gwydir Highway / Spring Hill Mountain intersection upgrade

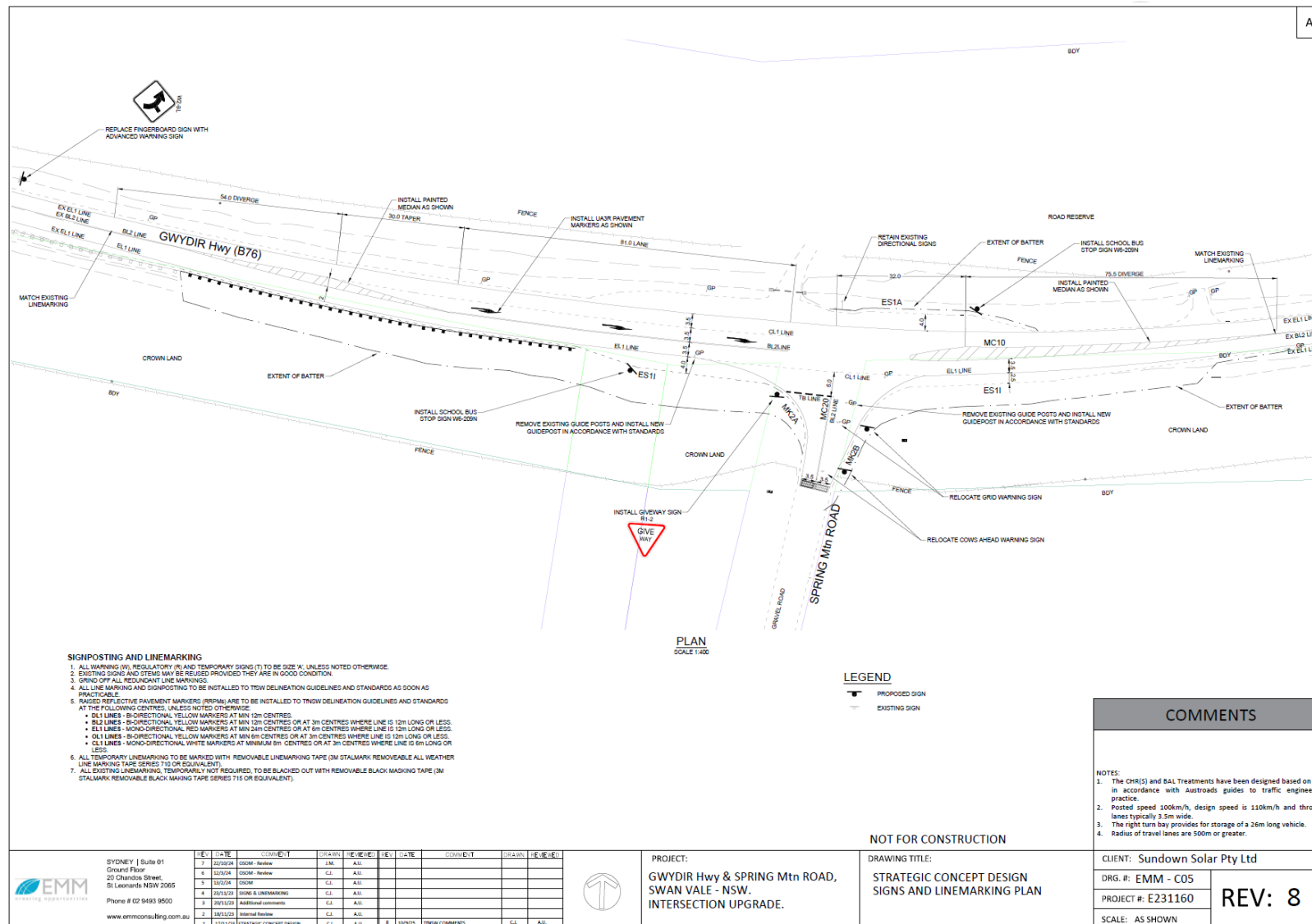
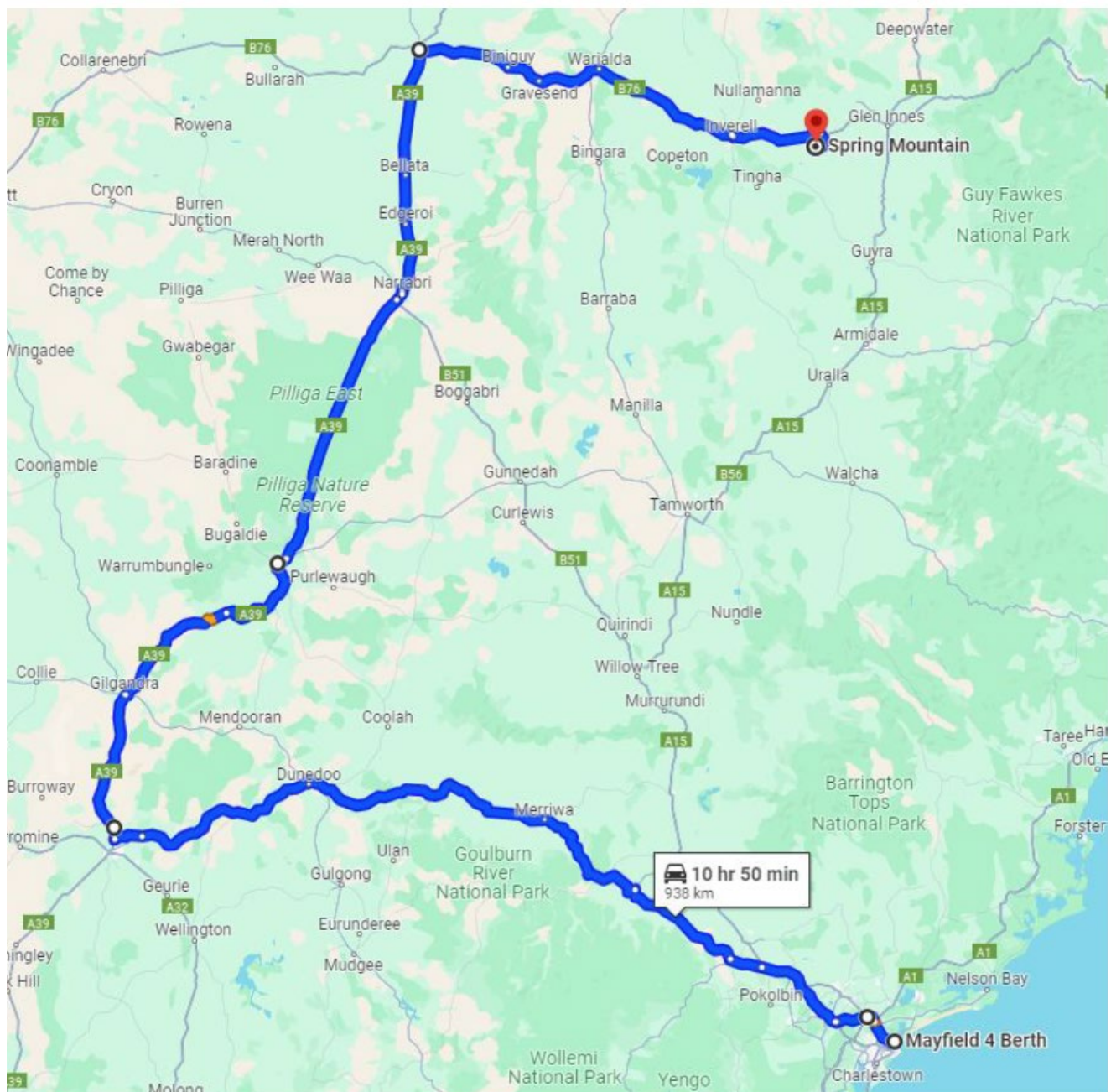


Figure 2. Heavy vehicles requiring escort and high-risk heavy vehicles requiring escort access route



APPENDIX 6: HERITAGE

Table 9 | Aboriginal Heritage Items – avoid impacts

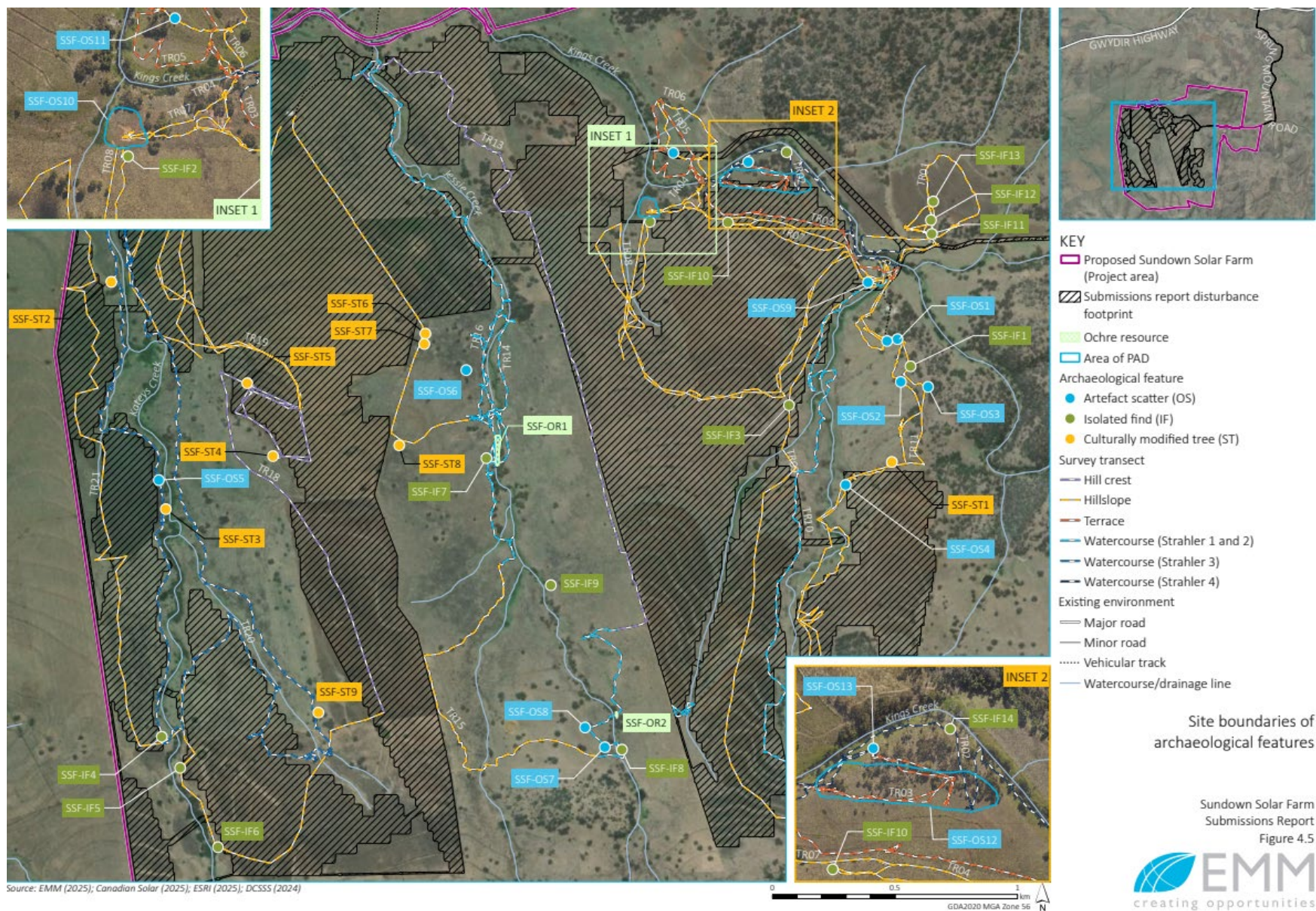
Item	AHIMS ID	Type
SSF-IF1	11-6-0170	Isolated find
SSF-IF5	11-6-0190	Isolated find
SSF-IF6	11-6-0189	Isolated find
SSF-IF7	11-6-0171	Isolated find
SSF-IF8	11-6-0172	Isolated find
SSF-IF9	11-6-0173	Isolated find
SSF-IF14	11-6-0206	Isolated find
SSF-OS1	11-6-0182	Artefact scatter
SSF-OS2	11-6-0183	Artefact scatter
SSF-OS3	11-6-0184	Artefact scatter
SSF-OS4	11-6-0185	Artefact scatter
SSF-OS5	11-6-0181	Artefact scatter
SSF-OS6	11-6-0180	Artefact scatter
SSF-OS7	11-6-0186	Artefact scatter
SSF-OS8	11-6-0187	Artefact scatter
SSF-OS11	11-6-0164	Artefact scatter
SSF-OS13	11-6-0207	Artefact scatter
SSF-ST1	11-6-0188	Modified tree
SSF-ST2	11-6-0193	Modified tree
SSF-ST3	11-6-0195	Modified tree
SSF-ST4	11-6-0194	Modified tree
SSF-ST5	11-6-0196	Modified tree
SSF-ST6	11-6-0197	Modified tree
SSF-ST7	11-6-0169	Modified tree
SSF-ST8	11-6-0168	Modified tree
SSF-ST9	11-6-0192	Modified tree
SSF-OR1	11-6-0166	Ochre resource
SSF-OR2	11-6-0167	Ochre resource

**As shown in the figure of this appendix*

Table 10 | Aboriginal Heritage Items – surface collection and salvage

Item	AHIMS ID	Type
SSF-IF2	11-6-0178	Isolated find
SSF-IF3	11-6-0179	Isolated find
SSF-IF4	11-6-0191	Isolated find
SSF-IF10	11-6-0174	Isolated find
SSF-IF11	11-6-0175	Isolated find
SSF-IF12	11-6-0176	Isolated find
SSF-IF13	11-6-0177	Isolated find
SSF-OS9	11-6-0162	Artefact scatter
SSF-OS10	11-6-0163	Artefact scatter
SSF-OS12	11-6-0165	Artefact scatter with PAD

**As shown in the figure of this appendix*



APPENDIX 7: INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW Major Projects Planning Portal.
2. The Applicant must provide notification as required under these requirements, even if the Applicant fails to give the notification required under condition C10 of 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 of 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;
 - (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.