

Development Consent

Section 4.38 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

2018

SCHEDULE 1

Application Number:	SSD 9237
Applicant:	Reach Solar Energy Management Company Pty Ltd
Consent Authority:	Minister for Planning
Land:	See Appendix 2
Development:	Yarrabee Solar Farm

Red type represents Modification 2 - 17 April 2020

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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, electricity transmission lines and internal roads
Applicant	Reach Solar Energy Management Company Pty Ltd, or any person who seeks to carry out the development approved under this consent
AUL(s)	Auxiliary Left Turn - Short
Battery storage	Large scale energy storage system
BAL	Basic Left Turn
BAR	Basic Right Turn
BCD	The Department's Biodiversity and Conservation Division
Cessation of operations	Operation of the development has ceased for a continuous period of 12 months
Conditions of this consent	Conditions contained in Schedules 1 to 4 inclusive
Construction	The construction of the development, including but not limited to the carrying out of any earthworks on site and the construction of solar panels and any ancillary infrastructure (but excludes road upgrades or maintenance works to the public road network, building/road dilapidation surveys, installation of fencing, artefact survey and/or salvage, overhead line safety marking and geotechnical drilling and/or surveying)
Council	Narrandera Shire Council and Murrumbidgee Council
CPI	Consumer Price Index
DPIE Crown Lands	The Department's Crown Lands Group
Decommissioning	The removal of solar panels and ancillary infrastructure and/or rehabilitation of the site
Department	Department of Planning, Industry and Environment
Development	The development as described in the EIS
Development footprint	The area within the site on which the components of the project will be constructed (shown in Appendix 1)
DPIE Water	The Department's Water Group
EIS	The Environmental Impact Statement for Yarrabee Solar Farm dated 17 August 2018, as amended by: • Yarrabee Solar Project Response to Submissions Report dated 17 October 2018, and additional information provided to the Department on 22 November 2018, 26 November 2018 and 4 December 2018; • Yarrabee Solar Project Modification Report dated 5 March 2020.
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPA	Environmental Protection Authority
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heavy vehicle	A vehicle that has a combined Gross Vehicle Mass or Aggregate Trailer Mass of more than 4.5 tonnes
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or

	Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
Material harm	Is harm that: • involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	Minister for Planning and Public Spaces or delegate
Minimise	Implement all reasonable and feasible mitigation measures to reduce the impacts of the development
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent but is not an incident
Operation	The operation of the development, but does not include commissioning, trials of equipment or the use of temporary facilities
Over-dimensional vehicle	Over-mass and/or over-size/length vehicles
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Public infrastructure	Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, irrigation channels, drainage channels
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
RFS	Rural Fire Service
RMS	Roads and Maritime Services
Secretary	Secretary of the Department, or nominee
Site	As shown in Appendix 1 and listed in Appendix 2
Temporary facilities	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, material stockpiles, laydown areas and parking spaces
Upgrading	The augmentation and/or replacement of solar panels and ancillary infrastructure on site (excluding maintenance)
Vehicle movement	One vehicle entering and leaving the site
VPA	Voluntary planning agreement

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

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

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

3. If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.
4. The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of:
 - (a) any strategies, plans or correspondence that are submitted in accordance with this consent;
 - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and
 - (c) the implementation of any actions or measures contained in these documents.

STAGING OF THE DEVELOPMENT

5. The Applicant may construct, operate and decommission the development in stages.

Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

FINAL LAYOUT PLANS

6. Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including details on the siting of solar panels and ancillary infrastructure.

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

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

Note: If the construction of the development is to be staged, the reference to layout plans and project details will relate to each stage of the development.

WORK AS EXECUTED PLANS

8. 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.

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

NOTIFICATION OF DEPARTMENT

9. 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 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

10. 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 proposed building works.
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.

DEMOLITION

11. 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

12. 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

13. 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.

COMMUNITY ENHANCEMENT

14. Prior to the commencement of construction, unless the Secretary agrees otherwise, 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 agreement between the Applicant and Narrandera Shire Council dated 4 December 2018, which are summarised in Appendix 3.

BATTERIES

Battery Storage Restriction

15. The capacity of the battery energy storage system must not exceed 35 MW / 70 MW hours.

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 system in the future.

SCHEDULE 3 ENVIRONMENTAL CONDITIONS – GENERAL

TRANSPORT

Over-Dimensional and Heavy Vehicle Restrictions

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

Designated Over-Dimensional and Heavy Vehicle Access Route

3. All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Sturt Highway, Main Canal Road, Old Morundah Road and use the existing site access point on Old Morundah Road, as identified in the figure in Appendix 1.

Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.

Road Upgrades and Site Access

4. Prior to commencing construction, the Applicant must:
 - (a) upgrade the intersection of the Sturt Highway and Reas Lane, including providing a BAL treatment;
 - (b) upgrade the intersection of Reas Lane and Back Morundah Road, including providing a BAR and BAL treatment;
 - (c) upgrade Back Morundah Road to allow two-way construction traffic from the intersection of Reas Lane to 100 m past the site access point, including widening and sealing to a minimum width of 6 m, with 0.5 m gravel shoulders;
 - (d) upgrade the site access point off Back Morundah Road (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, including a BAR treatment;
 - (e) upgrade the intersection of the Sturt Highway and Main Canal Road, including providing an AUL(s) treatment;
 - (f) upgrade Main Canal Road to allow two-way construction traffic from the intersection of the Sturt Highway to Old Morundah Road, including sealing Main Canal Road a minimum of 50 m from the edge of the Sturt Highway travel lane;
 - (g) upgrade the intersection of Main Canal Road and Old Morundah Road, including providing a BAL treatment;
 - (h) upgrade Old Morundah Road to allow two-way construction traffic from the intersection of Main Canal Road to the site access point, including widening and sealing to a minimum width of 7 m, with 0.5 m gravel shoulders; and
 - (i) upgrade the site access point off Old Morundah Road (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, including a BAL treatment.

These upgrades must comply with the *Austroads Guide to Road Design* (as amended by RMS supplements), and be carried out to the satisfaction of the relevant roads authority.

Unformed Crown Roads

5. The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless **DPiE Crown Lands** agrees otherwise.

Operating Conditions

6. 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

7. Prior to commencing **the development**, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and Council, and to the satisfaction of the Secretary. This plan must include:
 - (a) details of the transport route to be used for all development-related traffic, including the location of access points;
 - (b) a protocol for undertaking independent dilapidation surveys to assess the:
 - existing condition of local roads on the transport route prior to construction, upgrading or decommissioning activities; and
 - condition of local roads on the transport route following construction, upgrading or decommissioning activities;
 - (c) a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works;
 - (d) details of the road upgrade works required by conditions 4 and 5 of Schedule 3;
 - (e) details of the measures that would be implemented to minimise traffic impacts during construction, upgrading or decommissioning works, including:
 - temporary traffic controls, including detours and signage;
 - notifying the local community about project-related traffic impacts;
 - procedures for receiving and addressing complaints from the community about development-related traffic;
 - minimising potential for conflict with school buses and other motorists as far as practicable;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust and wet weather;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles;
 - (f) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport routes; and
 - procedures to ensure that drivers implement safe driving practices; and
 - (g) a flood response plan detailing procedures and options for safe access to and from the site in the event of flooding.

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

LAND MANAGEMENT

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

BIODIVERSITY

Biodiversity Management Plan

9. Prior to commencing **the development**, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with **BCD**, and to the satisfaction of the Secretary. This plan must:
- include a description of the measures that would be implemented for:
 - managing the remnant vegetation and fauna habitat on site;
 - minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;
 - minimising the impacts to fauna on site (including fauna interaction with perimeter fencing) and implementing fauna management and rescue protocols;
 - avoiding the removal of hollow-bearing trees during late winter and spring to avoid the main breeding period for hollow-dependent fauna;
 - rehabilitating and revegetating temporary disturbance areas;
 - protecting vegetation and fauna habitat outside the approved disturbance areas;
 - 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
 - controlling weeds and feral pests;
 - include a fauna monitoring strategy for weekly monitoring of security/perimeter fencing during construction and monthly during the first year of operation, including identification of mortalities with regular reporting to **BCD**; and
 - include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.

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

AMENITY

Construction, Upgrading and Decommissioning Hours

10. Unless the 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 Secretary:

- activities that are inaudible at non-associated receivers;**
- 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

11. The Applicant must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the *Interim Construction Noise Guideline* (DECC, 2009), or its latest version.

Dust

12. The Applicant must minimise the dust generated by the development.

Visual

13. 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 identification or safety purposes, unless the Secretary agrees otherwise.

Lighting

14. The Applicant must:
- (a) minimise the off-site lighting impacts of the development; and
 - (b) ensure that any external lighting associated with the development:
 - is installed as low intensity lighting (except where required for safety or emergency purposes);
 - does not shine above the horizontal; and
 - complies with *Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version.

HERITAGE

Protection of Heritage Items

15. Prior to commencing construction, the Applicant must salvage and relocate all Aboriginal heritage items identified in Table 2 in Appendix 4 to suitable alternative locations on site, in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010), or its latest version.
16. The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items identified in Table 1 in Appendix 4 or located outside the approved development footprint.

Note: The location of the Aboriginal heritage items are shown in the figure in Appendix 1.

Heritage Management Plan

17. Prior to commencing construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- (a) be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - (b) be prepared in consultation with BCD and Aboriginal Stakeholders;
 - (c) include a description of the measures that would be implemented for:
 - protecting the Aboriginal heritage items identified in Table 1 in Appendix 4 or outside the approved development footprint, including fencing off the Aboriginal heritage items prior to commencing construction and/or pre-construction minor works;
 - salvaging and relocating the Aboriginal heritage items located within the approved development footprint, as identified in Table 2 in Appendix 4;
 - a contingency plan and reporting procedure if:
 - previously unidentified heritage items are found; or
 - Aboriginal skeletal material is discovered;
 - ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
 - 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 Secretary's approval, the Applicant must implement the Heritage Management Plan.

SOIL & WATER

Water Supply

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

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

Water Pollution

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

Note: Section 120 of the POEO Act makes it an offence to pollute any waters.

Operating Conditions

20. The Applicant must:
- 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
 - ensure all works (including watercourse crossings) are undertaken in accordance with the following, unless **DPIE Water** agrees otherwise:
 - Guidelines for Controlled Activities on Waterfront Land* (2012), or its latest version; and
 - Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004), or its latest version.

HAZARDS

Fire Safety Study

21. Prior to commencing construction of the battery storage facility, unless the Secretary agrees otherwise, the Applicant must prepare a Fire Safety Study of the development, **in consultation with Fire and Rescue NSW and the NSW Rural Fire Service, and** to the satisfaction of the Secretary. The study must:
- be consistent with the:
 - Department's *Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study'* guideline; and
 - NSW Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*; and
 - describe the final design of the battery storage facility.

Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.

Storage and Handling of Dangerous Goods

22. The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:
- the requirements of all relevant Australian Standards; and
 - 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 (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Operating Conditions

23. The Applicant must:
- minimise the fire risks of the development;
 - ensure that the development:
 - includes at least a 10 metre defendable space around the perimeter of the solar array area that permits unobstructed vehicle access;
 - manages the defendable space and solar array areas as an Asset Protection Zone;
 - complies with the relevant asset protection requirements in the RFS's *Planning for Bushfire Protection 2006 (or equivalent)* and *Standards for Asset Protection Zones*;
 - is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65mm Storz fitting located adjacent to the internal access road;
 - assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
 - notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.

Emergency Plan

24. Prior to commissioning the development, the Applicant must prepare a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of Fire and Rescue NSW and the NSW Rural Fire Service. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:
- be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*;
 - identify the fire risks and controls of the development; and
 - include procedures that would be implemented if there is a fire on-site or in the vicinity of the site.

Following approval, the Applicant must implement the Emergency Plan.

WASTE

25. The Applicant must:
- minimise the waste generated by the development;
 - classify all waste generated on site in accordance with the EPA's *Waste Classification Guidelines 2014* (or its latest version);
 - store and handle all waste on site in accordance with its classification;
 - not receive or dispose of any waste on site; and
 - 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

26. Prior to commencing construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Narrandera Shire Council, and to the satisfaction of the Secretary. This strategy must:
- propose a strategy to facilitate the accommodation and the workforce associated with the development;
 - investigate options for prioritising the employment of local workers for the construction and operation of the development, where feasible;
 - include a program to monitor and review the effectiveness of the strategy over the life of the development.

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

DECOMMISSIONING AND REHABILITATION

27. Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 2.

Table 2: Rehabilitation Objectives

Feature	Objective
Project 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 infrastructure	To be decommissioned and removed, unless the Secretary agrees otherwise
Land use	Restore land capability to pre-existing use
Community	Ensure public safety

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

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

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

Revision of Strategies, Plans and Programs

2. The Applicant must:
 - (a) update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and
 - (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the:
 - submission of an incident report under condition 4 of Schedule 4;
 - submission of an audit report under condition 7 of Schedule 4; or
 - any modification to the conditions of this consent.

Updating and Staging of Strategies, Plans or Programs

3. With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.

To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.

With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.

Notes:

- While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.
- If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.

COMPLIANCE

Incident Notification

4. The Department must be notified in writing **via the Major Projects website portal** immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.

Non-Compliance Notification

5. The Department must be notified in writing **via the Major Projects website portal** within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.
6. **Deleted.**

INDEPENDENT ENVIRONMENTAL AUDIT

7. **The** Applicant must commission and pay the full cost of Independent Environmental **Audits** of the development. The **audits** must:
 - (a) be prepared in accordance with the relevant *Independent Audit Post Approval* requirements (DPE 2018);
 - (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
 - (c) be carried out in consultation with the relevant agencies;
 - (d) **be prepared, unless otherwise agreed with the Secretary in writing:**
 - **within 3 months of commencing construction;**
 - **within 3 months of commencement of operations; and**
 - **as directed by the Secretary;**
 - (e) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and
 - (f) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.

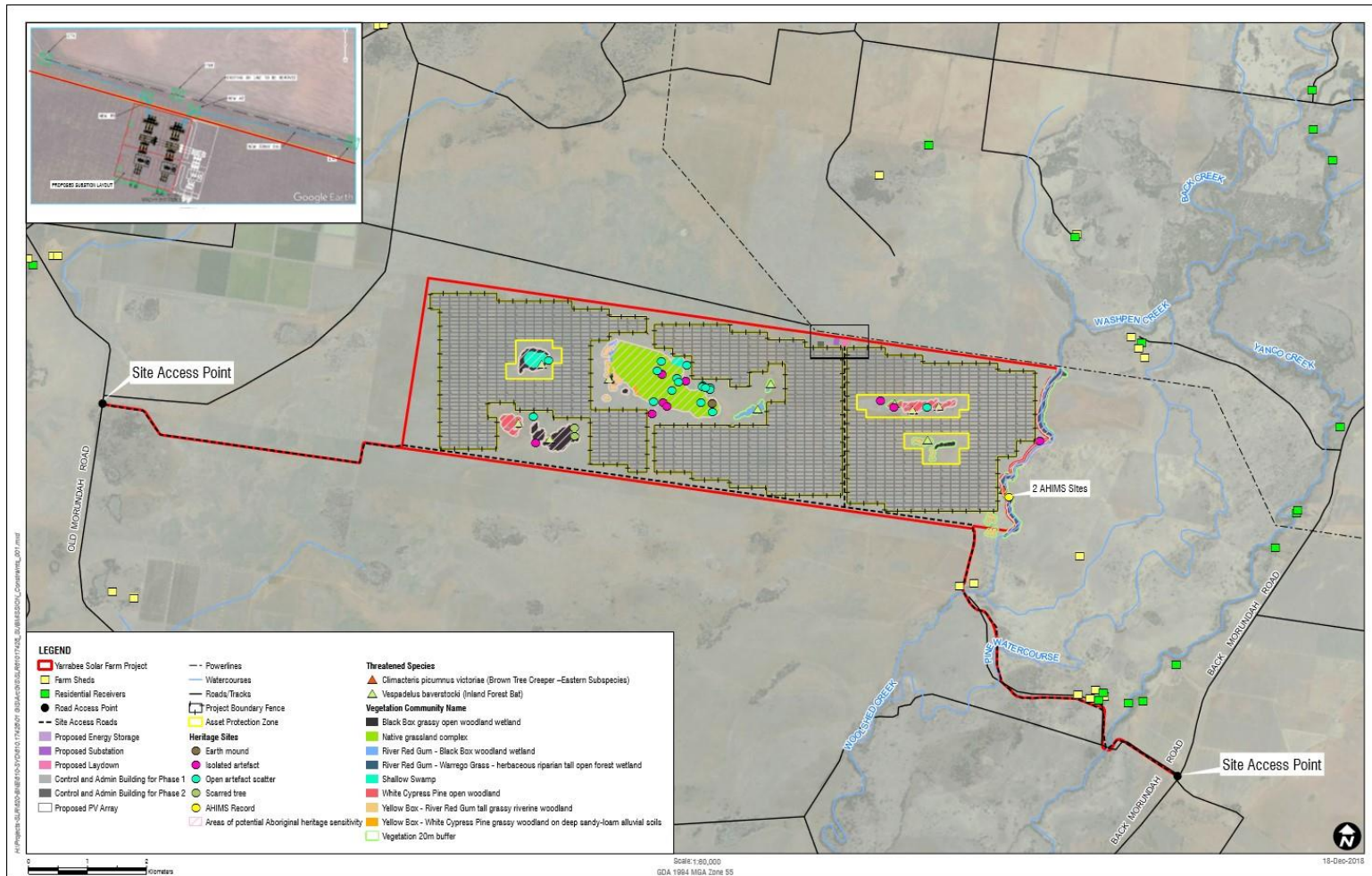
Within 3 months of commencing an Independent Environmental Audit, or unless the Secretary agrees otherwise, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable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

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

ACCESS TO INFORMATION

8. The Applicant must:
 - (a) make the following information publicly available on its website as relevant to the stage of the development:
 - the EIS;
 - the final layout plans for the development;
 - current statutory approvals for the development;
 - approved strategies, plans or programs required under the conditions of this consent;
 - the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - how complaints about the development can be made;
 - a complaints register;
 - compliance reports;
 - any independent environmental audit, and the Applicant's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
 - (b) keep this information up to date.

APPENDIX 1 GENERAL LAYOUT OF DEVELOPMENT



**APPENDIX 2
SCHEDULE OF LANDS**

<i>Lot Number</i>	<i>Deposit Plan (DP)</i>
4	750889
6	750889
7	750889
8	750889
9	750889
10	750889
11	750889
12	750889
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113	750889
114	750889
115	750889
116	750889
121	750889
123	750889
168	750889
169	750889
170	750889
171	750889
172	750889
173	750889
174	750889
175	750889

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

APPENDIX 3

GENERAL TERMS OF APPLICANT'S VPA OFFER

The VPA must include provisions for the payment, collection, management and distribution of the contributions under the agreement, with a focus on funding community enhancement and road maintenance projects in the area surrounding the project site.

<i>Council</i>	<i>Payment Details</i>
Narrandera Shire Council	Lump sum payments of 0.1% of the capital investment value of the development stage, to be paid at the commencement of construction of each stage of the development. Additionally, an annual contribution of: • \$40,000 per annum for community projects; and • \$10,000 per annum for miscellaneous road maintenance, (adjusted annually to increases in CPI from the date of financial close of the first stage of the development) over the operational life of the development, commencing on the date on which the development begins 'operation' and ceasing when the development is 'decommissioned' in accordance with the definitions within this consent. Furthermore, a lump sum payment of up to \$10,000 to contribute towards the preparation of the VPA.

APPENDIX 4

ABORIGINAL HERITAGE ITEMS

Table 1: Aboriginal heritage items – avoid impacts

Item
Yarrabee IF-2 #49-5-0190
Yarrabee IF-3 #49-5-0191
Yarrabee IF-4 #49-5-0191
Yarrabee IF-7 #49-5-0195
Yarrabee IF-8 #49-5-0193
Yarrabee IF-9 #49-5-0197
Yarrabee OS-3 #49-5-0198
Yarrabee OS-6 #49-5-0201
Yarrabee OS-7 #49-5-0202
Yarrabee OS-9 #49-5-0204
Yarrabee OS-10 #49-5-0205
Yarrabee OS-12 #49-5-0207
Yarrabee OS-13 #49-5-0208
Yarrabee OS-14 #49-5-0209
Yarrabee EM-1 with PAD #49-5-0188
Yarrabee ST-1 #49-5-0187
Yarrabee ST-2 #49-5-0186
Yarrabee IF-1 #49-5-0189
Yarrabee OS-4 #49-5-0199

Table 2: Aboriginal heritage items – surface collection salvage

Item
Yarrabee IF-5 #49-5-0193
Yarrabee IF-6 #49-5-0194
Yarrabee OS-5 #49-5-0200
Yarrabee OS-8 #49-5-0203
Yarrabee OS-11 #49-5-0206
Yarrabee OS-15 #49-5-0210