

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

2019

SCHEDULE 1

Application Number: SSD 9098
Applicant: ib vogt GmbH Pty Ltd
Consent Authority: Minister for Planning
Land: See Appendix 2
Development: Sebastopol Solar

Red text represents Modification 1 – July 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, battery storage and site compounds, electricity transmission lines and internal roads
Battery storage	Large scale energy storage system
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	Junee Shire Council and Temora Shire Council
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 Crown Lands	The Department's Crown Lands Group
DPIE Water	The Department's Water Group
EIS	The Environmental Impact Statement for Sebastopol Solar Farm dated 25 September 2018, as amended by: <ul style="list-style-type: none"> • Response to submission dated 30 November 2018, and additional information provided to the Department on 21 January 2019; • Sebastopol Solar Farm Modification Application dated 2 April 2020.
EP&A Act	<i>Environmental Planning and Assessment 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Feasible	Feasible relates to engineering considerations and what is practical to build or implement
Heavy vehicle	A vehicle that has a combined Gross Vehicle Mass or Aggregate Trailer Mass of more than 4.5 tonnes
Heritage item	An item as defined under the <i>Heritage Act 1977</i> and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
Incident	A set of circumstances that causes or threatens to cause material harm to the environment
Material harm	Is harm that: <ul style="list-style-type: none"> • 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

RFS	ensure it is safe, stable and non-polluting
Secretary	Rural Fire Service
Site	Secretary of the Department, or nominee
Temporary facilities	As shown in Appendix 1 and listed in Appendix 2
	Temporary facilities used for the construction, upgrading and/or decommissioning of the development, including but not limited to temporary site offices and compounds, materials storage compounds, maintenance workshops, or material stockpiles
TfNSW	Transport for NSW
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

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.

FINAL LAYOUT PLANS

5. 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.

UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE

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

WORK AS EXECUTED PLANS

7. 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.

NOTIFICATION OF DEPARTMENT

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

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

STRUCTURAL ADEQUACY

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

Notes:

- Under Part 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

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

PROTECTION OF PUBLIC INFRASTRUCTURE

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

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

OPERATION OF PLANT AND EQUIPMENT

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

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:
 - 66 heavy vehicle movements a day during construction, upgrading or decommissioning;
 - 4 over-dimensional vehicle movements during 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 Goldfields Way and Eurolee Road and use the approved existing site access point on Eurolee Road, as identified in the figure in Appendix 3.

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 and seal Eurolee Road for a minimum of 380 m from its intersection with Goldfields Way (as identified in the figure in Appendix 3);
 - (b) upgrade the intersection of the Goldfields Way and Eurolee Road, including providing a Basic Right Turn (BAR) and Basic Left Turn (BAL) intersection treatment **generally in accordance with the figure in Appendix 5**; and
 - (c) upgrade the site access point off Eurolee Road with a Rural Property Access type treatment to cater for the largest vehicle accessing the site.

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

Operating Conditions

5. 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

6. Prior to commencing construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with TfNSW 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;
 - (b) a protocol for undertaking independent dilapidation surveys to assess the:
 - existing condition of Goldfields Way and Eurolee Road on the transport route prior to construction, upgrading or decommissioning activities; and
 - condition of Goldfields Way and Eurolee Road on the transport route following construction, upgrading or decommissioning activities;
 - (c) a protocol for the repair of Goldfields Way and Eurolee Road if dilapidation surveys identify that the road/s have been damaged during construction, upgrading or decommissioning works;
 - (d) details of the road upgrade and site access works required by conditions 3 and 4 of Schedule 3 of this consent;
 - (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 the Travelling Stock Route, school buses and other motorists, as far as practicable;
 - details of the employee shuttle bus service and measures to encourage employee use of this service;
 - scheduling of haulage vehicle movements to minimise convoy length or platoons;
 - responding to local climate conditions that may affect road safety such as fog, dust, wet weather;
 - responding to any emergency repair or maintenance requirements; and
 - a traffic management system for managing over-dimensional vehicles; and
 - (f) a driver's code of conduct that addresses:
 - travelling speeds;
 - driver fatigue;
 - procedures to ensure that drivers adhere to the designated transport route/s; and
 - procedures to ensure that drivers implement safe driving practices.

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

LANDSCAPING

Vegetation Buffer

7. The Applicant must establish and maintain a mature vegetation buffer (landscape screening) at the locations outlined in the figure in Appendix 1 to the satisfaction of the Secretary. This vegetation buffer must:
- (a) be planted prior to commencing operations;
 - (b) be comprised of species that are endemic to the area;
 - (c) within 3 years of commencing construction, effectively screen views of the solar panels and ancillary infrastructure on-site from surrounding residences; and
 - (d) be properly maintained with appropriate weed management.

Landscaping Plan

8. Prior to commencing construction, the Applicant must prepare a detailed Landscaping Plan for the development in consultation with Council, to the satisfaction of the Secretary. This plan must include:
- (a) a description of measures that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 7 (a) – (d) of this consent;
 - (b) include a program to monitor and report on the effectiveness of these measures; and
 - (c) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for the completion of actions.

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

LAND MANAGEMENT

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

BIODIVERSITY

Biodiversity Offsets

10. Within two years of commencing construction under this consent, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Table 1 and Table 2 below to the satisfaction of BCD.

The retirement of these credits must be carried out in accordance with the *NSW Biodiversity Offset Scheme* and can be achieved by:

- acquiring or retiring 'biodiversity credits' within the meaning of the *Biodiversity Conservation Act 2016*;
- making payments into an offset fund that has been developed by the NSW Government; or
- providing supplementary measures.

Table 1: Ecosystem Credit Requirements

Vegetation Community	PCT ID	Credits Required	Total
White Cypress Pine woodland on sandy loams in Central NSW wheatbelt	70	1	29.75
White Box – White Cypress – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion	267	25.75	
White Box grassy woodland in the upper slopes sub-region of the NSW South Western Slopes Bioregion	266	3	

Table 2: Species Credit Requirements

Species Credit Species	Credits Required	Total
Austrostipa metatoris	3	48
Pine Donkey Orchid (<i>Diuris tricolor</i>)	11	
Small Purple-pea (<i>Swainsona recta</i>)	14	
Silky Swainson-pea (<i>Swainsona sericea</i>)	14	
Superb Parrot (<i>Polytelis swainsonii</i>)	6	

Biodiversity Management Plan

11. Prior to commencing construction, 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 and implementing fauna management protocols;
 - avoiding the removal of hollow-bearing trees during spring to avoid the main breeding period for hollow-dependent fauna;
 - rehabilitating and revegetating temporary disturbance areas with species that are endemic to the area;
 - 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; 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.

Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biodiversity Stewardship Agreement.

AMENITY

Construction, Upgrading and Decommissioning Hours

12. 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

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

Dust

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

Visual

15. The Applicant must:
- minimise the off-site visual impacts of the development, including the potential for any glare or reflection;
 - 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.

Lighting

16. The Applicant must:
- minimise the off-site lighting impacts of the development; and
 - 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

17. The Applicant must ensure that the development avoids (as far as practicable) any direct or indirect impacts on the Aboriginal heritage items identified in Table 1 of Appendix 4.

If impacts on these items cannot be avoided, the Applicant must salvage and relocate the item/s that would be impacted to a suitable alternative location on site, in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010), or its latest version.

Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 4.

18. The Applicant must ensure the development does not cause any direct or indirect impacts on the Aboriginal heritage items identified in Table 2 of Appendix 4 or located outside the approved development footprint.

Heritage Management Plan

19. Prior to commencing construction, the Applicant must prepare a Heritage Management Plan for the development to the satisfaction of the Secretary. This plan must:
- be prepared by suitably qualified and experienced persons whose appointment has been endorsed by the Secretary;
 - be prepared in consultation with BCD and Aboriginal Stakeholders;
 - include a description of the measures that would be implemented for:
 - protecting the Aboriginal heritage items identified in Table 2 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 1 in Appendix 4, if impacts to them cannot be avoided;
 - 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;
 - 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

20. 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

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

Operating Conditions

22. 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

23. 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 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 Materials

24. 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

25. 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 and battery storage facility 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 commencing operations.

Emergency Plan

26. Prior to commissioning development, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, to the satisfaction of Fire and Rescue NSW and the RFS. 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 of Planning'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.

WASTE

27. 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.

DECOMMISSIONING AND REHABILITATION

28. 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 3.

Table 3: Rehabilitation Objectives

Feature	Objective
Project site	<ul style="list-style-type: none">Safe, stable and non-pollutingMinimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use
Solar farm infrastructure	<ul style="list-style-type: none">To be decommissioned and removed, unless the Secretary agrees otherwise
Land use	<ul style="list-style-type: none">Restore land capability to pre-existing use
Community	<ul style="list-style-type: none">Ensure public safety

SCHEDULE 4 ENVIRONMENTAL MANAGEMENT AND REPORTING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. Prior to commencing construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:
 - (a) provide the strategic framework for environmental management of the development;
 - (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** within 7 days 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.

Compliance Reporting

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 *Independent Audit Post Approval Requirements (DPIE, 2020)*;**
 - (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 prepared, unless otherwise agreed with the Secretary:**
 - i. **within 3 months of commencing construction;**
 - ii. **within 3 months of commencement of operations; and**
 - iii. **as directed by the Secretary;**
 - (d) **be carried out in consultation with the relevant agencies;**
 - (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;****unless the Secretary agrees otherwise.**

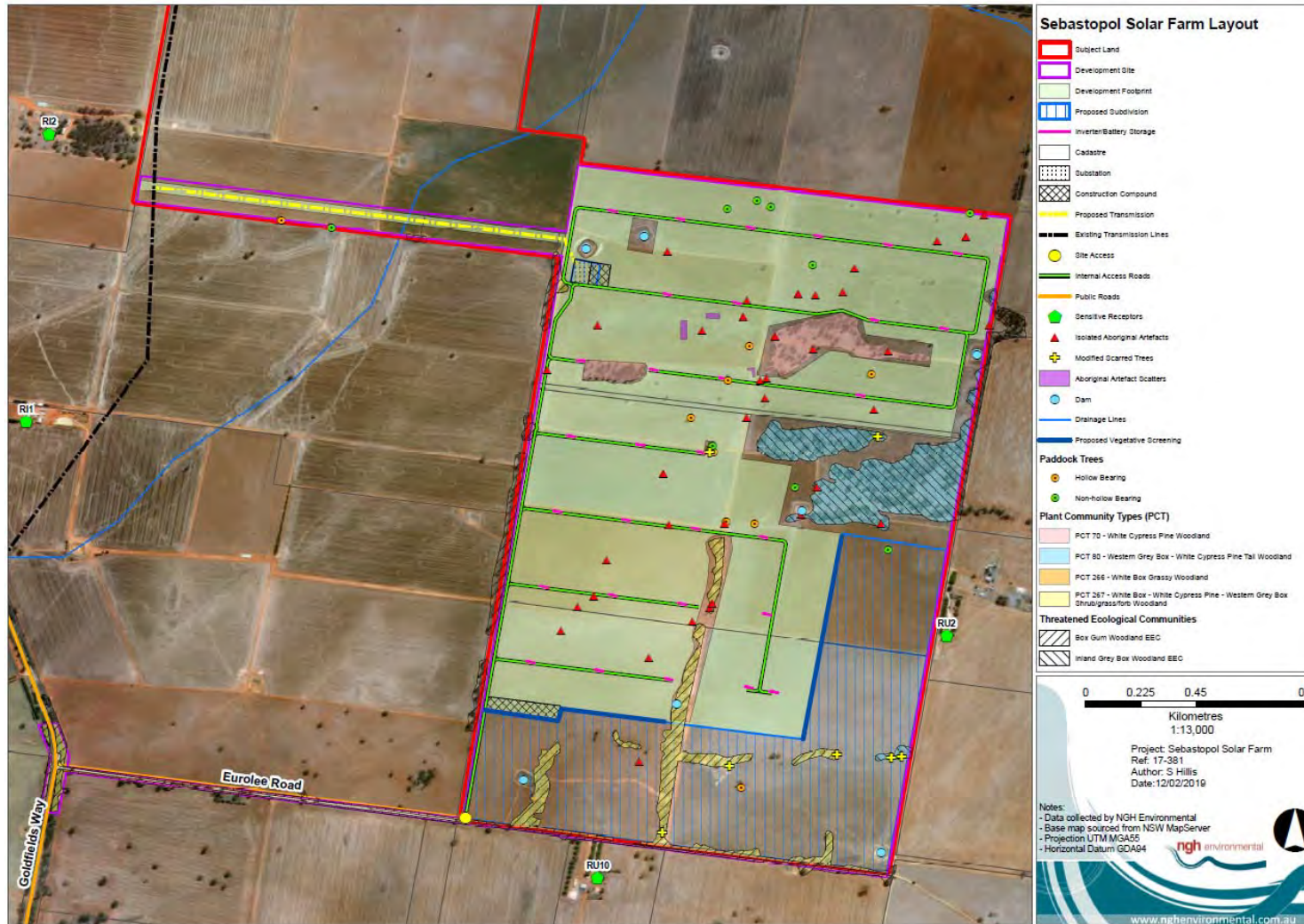
Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a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

The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary, confirmed in writing.

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	1186823
1	133994
62	751424
88	751424
90	751424
91	751424
92	751424

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

APPENDIX 3: SITE ACCESS



Key	
—	Existing One Lane Road
—	Proposed Truck Passing Areas
—	Proposed Two Way Road Widening

— Site boundary

Upgrades to Eurolee Road prior to construction:

- Upgrade of the intersection of Goldfields Way and Eurolee Road with a BAR and BAL treatment
- Proposed two way widening and sealing – 50m length from intersection with Goldfields Way
- - - - - Proposed sealing of current alignment of Eurolee Road – approx. 380m
- Proposed passing areas
- Rural Property Access type treatment

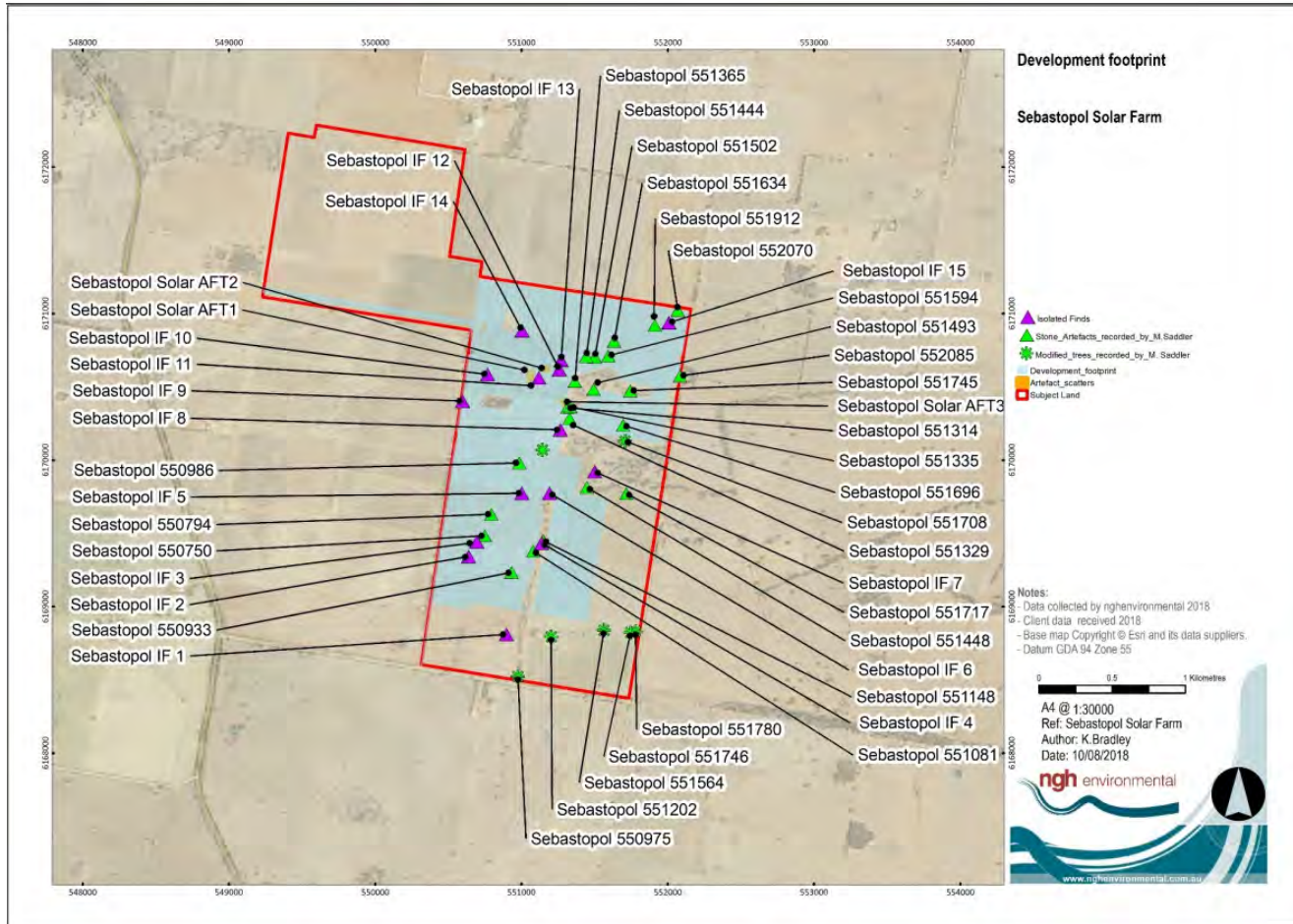
**APPENDIX 4:
ABORIGINAL HERITAGE ITEMS**

Table 1: Aboriginal heritage items – avoid impacts or salvage and relocate

<i>item</i>
50-5-0245
50-5-0246
50-5-0247
50-5-0249
50-5-0250
50-5-0253
50-5-0252
50-5-0255
50-5-0256
50-5-0257
50-5-0258
50-5-0259
50-5-0260
50-5-0262
50-5-0261
50-5-0216
50-5-0217
50-5-0221
50-5-0223
50-5-0224
50-5-0225
50-5-0227
50-5-0229
50-5-0230
50-5-0231
50-5-0232
50-5-0233
50-5-0235
50-5-0236
50-5-0238
50-5-0239

Table 2: Aboriginal heritage items – avoid impacts

Item
50-5-0248
50-5-0251
50-5-0254
50-5-0222
50-5-0234
50-5-0240
50-5-0241
50-5-0242
50-5-0243
50-5-0244
50-5-0218
50-5-0219
50-5-0220
50-5-0226
50-5-0228
50-5-0237
50-5-0264
50-5-0265



Sites impacted	Sites avoided
1. Sebastopol Solar AFT1 (artifact scatter)	1. Sebastopol Solar IF 1 (isolated stone artefact)
2. Sebastopol Solar AFT2 (artifact scatter)	2. Sebastopol Solar IF 4 (isolated stone artefact)
3. Sebastopol Solar AFT3 (artifact scatter)	3. Sebastopol Solar IF 7 (isolated stone artefact)
4. Sebastopol Solar IF 2 (isolated stone artefact)	4. Sebastopol 551365 (isolated stone artefact)
5. Sebastopol Solar IF 3 (isolated stone artefact)	5. Sebastopol 551717 (isolated stone artefact)
6. Sebastopol Solar IF 5 (isolated stone artefact)	6. Sebastopol 551448 (isolated stone artefact)
7. Sebastopol Solar IF 6 (isolated stone artefact)	7. Sebastopol 551493 (isolated stone artefact)
8. Sebastopol Solar IF 8 (isolated stone artefact)	8. Sebastopol 551745 (isolated stone artefact)
9. Sebastopol Solar IF 9 (isolated stone artefact)	9. Sebastopol 551148 (isolated stone artefact)
10. Sebastopol Solar IF 10 (isolated stone artefact)	10. Sebastopol 551708 (possible scarred tree)
11. Sebastopol Solar IF 11 (isolated stone artefact)	11. Sebastopol 551143 (possible scarred tree)
12. Sebastopol Solar IF 12 (isolated stone artefact)	12. Sebastopol 550975 (possible scarred tree)
13. Sebastopol Solar IF 13 (isolated stone artefact)	13. Sebastopol 551780 (possible scarred tree)
14. Sebastopol Solar IF 14 (isolated stone artefact)	14. Sebastopol 551746 (possible scarred tree)
15. Sebastopol Solar IF 15 (isolated stone artefact)	15. Sebastopol 551564 (possible scarred tree)
16. Sebastopol 551502 (isolated stone artefact)	16. Sebastopol 551202 (possible scarred tree)
17. Sebastopol 551444 (isolated stone artefact)	
18. Sebastopol 551696 (isolated stone artefact)	
19. Sebastopol 551329 (isolated stone artefact)	
20. Sebastopol 551314 (isolated stone artefact)	
21. Sebastopol 551335 (isolated stone artefact)	
22. Sebastopol 551594 (isolated stone artefact)	
23. Sebastopol 552070 (isolated stone artefact)	
24. Sebastopol 551912 (isolated stone artefact)	
25. Sebastopol 551634 (isolated stone artefact)	
26. Sebastopol 552085 (isolated stone artefact)	
27. Sebastopol 551081 (isolated stone artefact)	
28. Sebastopol 550986 (isolated stone artefact)	
29. Sebastopol 550794 (isolated stone artefact)	
30. Sebastopol 550750 (isolated stone artefact)	
31. Sebastopol 550933 (isolated stone artefact)	

**APPENDIX 5:
INTERSECTION DESIGN MODIFICATION**

