

Attachment B – Conditions of Consent

Administrative Conditions

The development must be carried out in accordance with the following conditions of consent.

(1) Approved Development

Development consent has been granted for **Electricity Generating Works** (15MW Solar Farm) at Lot 2 DP 1252779 (previously lot 140 and 141 DP 751709).

It is advised that the proposed development has been assessed in regards to the provisions of the Griffith Local Environmental Plan 2014 and is considered to be **electricity generating works** which is defined as:

‘means a building or place used for the purpose of making or generating electricity.’

The development must be implemented substantially in accordance with Development Application No. 291/2018 received by Council on 19 December 2018 and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of this consent.

Drawing / Plan	Date Received by Council	Prepared or Drawn By
LAYOUT PLAN DEV-01-C-120 Rev 03	18 January 2019	ITP Renewables
SITE ELEVATIONS DEV-01-C-130 Rev 03	18 January 2019	ITP Renewables
ACCESS ROAD PLAN DEV-01-C-630 Rev 02	18 January 2019	ITP Renewables
LANDSCAPE PLAN DEV-01-C-730 Rev 02	18 January 2019	ITP Renewables
SITE LAYOUT PLAN DEV-01-E-110 Rev 02	18 January 2019	ITP Renewables

Document	Date Received by Council	Prepared or Drawn By
Statement of Environmental Effects	19 December 2019	Zenith Town Planning Pty Ltd
Traffic Impact Assessment Report	19 December 2019	ML Traffic Engineers Pty Ltd
Construction Management Plan	19 December 2019	ML Traffic Engineers
Water Assessment	19 December 2019	Golder Associates Pty Ltd
Waste Assessment	19 December 2019	Golder Associates Pty Ltd
Glare and Glint Assessment	19 December 2019	Golder Associates Pty Ltd
Noise Assessment	19 December 2019	Wilkinson Murray

If there is any inconsistency between the approved plans and documents referred to above, the conditions shall prevail.

(2) Rural Numbering

The subject property has been allocated a rural number of **RN 15 Bob Irvin Road**. This number shall be reflective and permanently displayed in a prominent position that is clearly visible from the public road at all times.

(3) Damage to Council property

If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

(4) Provision of Services

The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense. The work is to be in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and relevant authorities' specifications.

(5) Construction Certificate (Building Works)

Prior to construction of the approved development, it is necessary to obtain a Construction Certificate for the building works. The Construction Certificate can be issued either by Council or a private certifier.

(6) Construction Approval (Civil Works)

Prior to construction of the approved development, it is necessary to obtain a Construction Approval (Civil Works). This approval can only be issued by Council. An Application for Construction Approval (Civil Works) form, complete with detailed plans and specifications, shall be submitted to Council for the Construction Approval (Civil Works).

(7) Lapsing of Consent

In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

Note 1: Development consent for the purpose of the erection of a building or the subdivision of land or the carrying out of a work does not lapse if building, engineering or construction work relating to the development is lawfully and physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse.

Note 2: Development consent for the purpose of the use of the land, building or work the subject of the consent does not lapse if it is actually commenced the date on which the consent would otherwise lapse.

(8) Aboriginal or Cultural artefacts

Should any Aboriginal artefacts, other cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the *National Parks and Wildlife Act 1974*. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

(9) Existing Services

The applicant must check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

(10) Tree Preservation

The applicant is advised that the land is subject to Council's Tree Policy and the requirements of that policy are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Parks and Gardens Department.

(11) Fence location and design

The person with the benefit of this consent shall ensure that the proposed security fence complies with the following:

- (a) The fence shall be contained wholly within the property boundaries. No part of the fence, or its footings, shall encroach onto the road reserve or adjoining properties.
- (b) It is the responsibility of the owner to verify the location of the boundary and this is recommended to be achieved by a survey report.
- (c) All gates shall be designed so that they do not open onto the road reserve.
- (d) Fences are to be constructed in accordance with the Transgrid Fencing Guidelines

(12) National Construction Code

All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.

All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the Plumbing Code of Australia.

(13) All works are to comply with the TransGrid Easement Guidelines.

Prior to the issue of a Construction Certificate for Building Works

Prior to commencing construction work, you will need a Construction Certificate for building works issued by Griffith City Council or an Accredited Certifier. Before a Construction Certificate can be issued, compliance with the following conditions is to be demonstrated.

(1) Onsite detention

Stormwater detention is to be created onsite for the critical storm event. The maximum developed stormwater discharge shall not exceed the pre-development stormwater discharge from the site. Design and details including hydraulic calculations are to be submitted to Council for approval in accordance with *Council's Engineering Guidelines – Subdivision and Development Standards*, Council's *Onsite Detention Policy (CS-CP-404)* and Council's *Stormwater Drainage & Disposal Policy (CS-CP-310)* **prior to the issue of a Construction Certificate for Building Works.**

A qualified Civil Engineer with experience in Hydraulic Analysis shall design and certify the Onsite Detention System, which shall be maintained for the life of the project. The consultant is to sign off all drawings and calculations and provide details of Professional Indemnity Insurance.

(2) Discharge of water into Murrumbidgee Irrigation drainage channel

Any proposal to discharge water into Murrumbidgee Irrigation's drainage channel system must be supported by written approval from Murrumbidgee Irrigation (MI). A copy of MI's approval and conditions must be submitted to Council **prior to the issue of a Construction Certificate for Building Works.**

(3) Turning path diagrams to justify suitable access tapers

Prior to the issue of a Construction Certificate for Building Work, an amended accessway plan with turning path diagrams is to be submitted to Council to justify suitable tapers connecting to the road carriageway to accommodate a Semi-Trailer Vehicle for the proposed accessways. This is to justify the width of the proposed access and the tapers at the connection point of the access to the Bob Irvin Road carriageway. Turning path diagrams are to be in accordance with *Austroads Design Vehicles and Turning Path Templates Guide 2013*.

(4) Landscape Plans

Prior to the issue of the Construction Certificate, landscape plans depicting any planned landscaping, including the planting of vegetation, species details, surface treatments, furniture, structures or improvements within three metres of the pipeline must be submitted to and approved by APA, in addition to any approval required by the assessment manager. A three metre minimum clearance between the pipeline and any vegetation with a mature height greater than 0.5 metres must be maintained.

(5) Construction Management Plan

Prior to the issue of the Construction Certificate, including demolition, on land within 50 metres of the pipeline easement, a construction management plan must be submitted to and approved by APA Group (natural gas supplier). The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
- Avoid significant vibration, heavy loadings stored over the pipeline and heavy vehicle / plant crossings of the pipeline within the easement.
- Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.

Evidence of submission to the APA to be provided to the public certifier.

(6) Risk Assessment Required

Prior to the issue of the Construction Certificate, and to inform detailed design, the applicant must conduct electrical hazard studies in accordance with (the requirements of) Australian Standard 4853-2012 (for Low Frequency Induction and Earth Potential Rise). The applicant must address any relevant requirements and any recommendations and/or actions must be implemented to the satisfaction of APA Group (natural gas supplier). All costs associated with the study, and implementing its recommendations and/or actions are to be borne by the applicant. The applicant must complete validation testing upon completion of construction.

Evidence of submission to the APA to be provided to the public certifier.

(7) Amend Design to Comply with Australian Standards

Prior to the issue of the Construction Certificate for building works, the design is to be amended in order to obtain results for the electrical interference studies and electrical hazard studies which comply with the applicable Australian Standard AS2832. These results are to be provided to the APA (Natural Gas provider).

Evidence of submission to the APA to be provided to the public certifier.

(8) Easement Delineation On Plans

Prior to the issue of the Construction Certificate for building works, all plans which include the area of the gas pipeline easement must have the easement clearly identified with hatching on the full width of the easement. The easement must also be clearly labelled as *'high pressure gas pipeline easement – no works to occur without the prior authorisation of the pipeline operator'*.

(9) Murrumbidgee Irrigation

The applicant shall obtain written approval from Murrumbidgee Irrigation for the proposed development. Documentary evidence from Murrumbidgee Irrigation shall be submitted to Council **prior to the issue of the Construction Certificate**.

(10) Pollution Control Plan

Prior to the issue of Construction Certificate for building works the applicant shall submit to Griffith City Council and the Principal Certifier a Pollution Control Plan. The Pollution Control Plan shall provide the following details:

- (a) Soil erosion and sediment control measures that are designed in accordance with Managing Urban Stormwater – Soils and Construction, Volume I (Landcom 2004). The measures shall include:

- (i) Preventing solid waste, sediment, sand, soil, clay or stones from the site entering the drainage system. Only clean rain water will be permitted to discharge into the drainage system.
- (ii) Preventing vehicles from tracking materials onto the road which may enter stormwater drainage.
- (iii) Plans showing the location of sedimentation control fencing.
- (iiii) methods for the entire construction period and up until such times as an application is made for an Occupation Certificate.
- (b) Means of dust suppression measures to be implemented during dry and/or windy weather conditions.
- (c) A waste management plan addressing all waste collection and disposal issues associated with waste generated by the development during the construction process. In terms of disposal of waste, all material is to be disposed of at a licenced waste management facility. No material shall be burnt onsite.

(11) Section 7.12 Development Contributions

In accordance with Section 7.12 of the *Environmental Planning and Assessment Act 1979* (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted *Section 94A Contributions Plan 2010 (Amendment 2013)*. A copy of this policy is publicly available from Council's website www.griffith.nsw.gov.au.

Total payment shall be \$289,973.55 (1% of the proposed cost of carrying out the development).

The contribution is to be paid **prior to the issue of the Construction Certificate**, unless other arrangements acceptable to Council are made. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

(12) Landscaped Buffer

A detailed Landscape Plan for the 10m wide buffer area shall be submitted to and approved by Council **prior to the issue of the Construction Certificate for Building works**. The landscape plan for the buffer area shall include:

- (a) Densely planted native tree species and shrubs from the Weeping Myall Woodland Endangered Ecological Community that are suitable - in terms of height, density of foliage for the screening of the solar panels from the Kidman Way and dwellings on adjoining properties;
- (b) A Management Program to ensure adequate maintenance for sustained growth and effectiveness of the native trees and shrubs to provide a visual screen; and
- (c) Weed management plan.

(13) Long Service Levy

For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441

Prior to the issues of a Construction Approval (Civil Works)

Prior to commencing Civil Works you will need a Construction Approval (Civil Works) issued by Council. Before this approval can be issued, compliance with the following conditions is to be demonstrated.

(1) Road upgrade

The intersection of Irrigation Way and Bob Irvine Road is to be upgraded and the roadside is to be maintained to the satisfaction of Roads and Maritime Services to the following standard:

- (a) Bob Irwin Road shall be sealed for at least 50 metres from its intersection with Irrigation Way.
- (b) Bob Irwin Road shall be constructed to provide for 2 travel lanes for at least 50 metres from its intersection with Irrigation Way except at the existing culvert.
- (c) The intersection shall be designed and constructed so that vehicles turning between Irrigation Way and Bob Irvin Road are not required to cross to the opposing travel lane on Irrigation Way in order to perform a turn manoeuvre. The intersection shall be line marked in accordance with Australian standards.

Prior to the issue of a Construction Approval (Civil Works), detailed engineering design drawings for the roadworks shall be completed in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards* and *Austroads Guide to Road Design* as amended by the technical directions issued by the *NSW Roads and Maritime Services*. Design plans are to be submitted to Council for approval.

(2) Heavy Vehicle Crossings / Intersection Upgrade Engineering Plans Required

Prior to the issue of the Construction Certificate for civil works, detailed engineering plans for any proposed heavy vehicle crossings and intersection upgrades over the high pressure gas transmission pipeline must be submitted to APA. No works are permitted without the prior consent of APA.

Evidence of submission to the APA to be provided to the public certifier.

Prior to Commencement of Works

The following conditions need to be met prior to the commencement of works. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

(1) Sedimentation and Erosion Controls

Effective dust, noise, sedimentation and erosion controls are to be implemented prior to the commencement of site works to maintain public safety/amenity.

(2) Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by a suitably qualified professional. The Construction Management Plan is to be submitted to Council for approval and is to address, but not be limited to, the following:

- (a) the management of loading and unloading of construction materials on site;
- (b) material stockpiling/storage;
- (c) identify parking for construction worker vehicles;
- (d) dust mitigation measures; and
- (e) complaint management and contingency measures.

The construction management measures specified in the approved Construction Management Plan shall be implemented for duration of construction.

(3) Traffic Management Plan (TMP)

Prior to the commencement of work, a Traffic Management Plan is to be prepared by a suitably qualified professional. The Traffic Management Plan shall be reviewed in consultation with the relevant road authorities (Council and Roads and Maritime Services) to ensure that key traffic related issues associated with the development have been addressed. The appointed transport contractor shall be involved in the preparation of this plan. The plan shall address all light and heavy traffic generation to the development site and detail the potential impacts associated with the development, the mitigation measures to be implemented, and the procedures to monitor and ensure compliance. This plan shall address, but not necessarily be limited to the following;

- (a) Require that all vehicular access to the site be via the approved access route.
- (b) Maximum size of vehicle is 19 metre semi-trailer,
- (c) Details of traffic routes to be used by heavy and light vehicles, and any associated impacts and any road-specific mitigation measures.
- (d) Details of measures to be employed to ensure safety of road users and minimise potential conflict with project generated traffic,
- (e) Proposed hours for construction activities, as night time construction presents additional traffic related issues to be considered.
- (f) The management and coordination of the movement of vehicles for construction and worker related access to the site and to limit disruption to other motorists, emergency vehicles, school bus timetables and school zone operating times,
- (g) loads, weights and lengths of haulage and construction related vehicles and the number of movements of such vehicles,
- (h) procedures for informing the public where any road access will be restricted as a result of the project,
- (i) any proposed precautionary measures such as signage to warn road users such as motorists about the construction activities for the project,
- (j) a Driver Code of Conduct to address such items as; appropriate driver behaviour including adherence to all traffic regulations and speed limits, safe overtaking and

- maintaining appropriate distances between vehicles, etc and appropriate penalties for infringements of the Code,
- (k) details of procedures for receiving and addressing complaints from the community concerning traffic issues associated with truck movements to and from the site.

(4) Traffic Control Plan (TCP)

A traffic control plan is to be submitted to Council satisfying the provisions of Australian Standard 1742.3, for acceptance **prior to the commencement of work within Council's road reserve**. Strict compliance to the traffic control plan is to be maintained throughout the duration of the construction work.

Where it is not practical to provide sufficient width for heavy vehicles to pass each other (due to a narrow irrigation canal bridge located on Bob Irvin Road near the intersection of the Irrigation Way) the traffic control plan shall be implemented to ensure that heavy vehicles turning right from the Irrigation Way into Bob Irvin Road encounter no obstruction from oncoming vehicles. The traffic control plan shall be developed and implemented so as to minimise delay on Irrigation Way. Any storage or stacking of vehicles shall occur within Bob Irvin Road.

(5) Road Upgrade Prior to Construction

Prior to the commencement of construction works on-site, the Proponent must undertake all works to upgrade any road, its associated road reserve and any public infrastructure in that road reserve, to a standard suitable for use by heavy vehicles to meet any reasonable requirements that may be specified by the relevant roads authority. The design and specifications, and construction, of these works must be completed and certified by an appropriately qualified person. On Classified Roads the geometric road design and pavement design must be to the satisfaction of the Roads and Maritime Services.

(6) Third Party Works Authorisation

Prior to the commencement of any works within the gas transmission pipeline easement, the proponent must provide detail of the proposed works to APA, and seek an authorisation third party works approval from APA. No works within APA's easement are permitted without the prior authorisation of APA. Works within the easement must comply with any conditions attached to a third party works approval.

(7) Pollution Control

Prior to the commencement of works all measures identified in the approved Pollution Control Plan shall be implemented.

(8) Erection of Signs

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Note. Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A).

(9) Protection of adjoining areas

A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

(10) Notification of Commencement

Prior to commencing work the person having the benefit of the consent has:

- (a) given at least 2 days notice to the council, and the principal certifier if not the council, of the person's intention to commence the erection of the building, and
- (b) if not carrying out the work as an owner-builder, has:
 - i appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - ii notified the principal certifying authority of any such appointment, and
 - iii unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work.

Prior to Commencement of Civil Works

The following conditions need to be met prior to the commencement of Civil Works. The necessary documentation and information must be provided to Griffith City Council, as applicable.

(1) Section 138 Approval

Any works within the road reserve of Irrigation Way requires approval under Section 138 of the Roads Act, 1993 from the road authority (Council) and concurrence from Roads and Maritime Services **prior to commencement of any such works**. The developer is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.

(2) Section 138 Approval

Any works within the road reserve of Bob Irvin Road requires approval under Section 138 of the Roads Act, 1993 from the road authority (Council **prior to commencement of any such works**). The developer is responsible for all public utility adjustment/relocation works, necessitated by the development and as required by the various public utility authorities and/or their agents.

During Construction

The following conditions of consent must be complied with at all times during the demolition, excavation and construction of the development.

(1) Easement Delineation On Site

During construction, the boundary of the easement must be clearly delineated on site by temporary fencing (or other means as agreed by APA), and clearly marked as a hazardous work zone/ restricted area.

(2) Dust Control

Where dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation, construction and building works. If necessary, water sprays shall be used on the site during construction works to reduce the emission of dust.

(3) Pollution Control

The pollution control measures set out in the approved Pollution Control Plan shall be maintained throughout the entire construction period and up until such times as an application is made for an Occupation Certificate.

(4) Maintenance of site

All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at a waste management facility.

Copies of receipts stating the following must be provided to the consent authority on request:

- (a) the place to which waste materials were transported,
- (b) the name of the contractor transporting the materials,
- (c) the quantity of materials transported off-site and recycled or disposed of.

Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

During construction:

- (a) all vehicles entering or leaving the site must have their loads covered, and
- (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.

At the completion of the works, the work site must be left clear of waste and debris.

(5) Toilet Facilities

Adequate toilet facilities are to be provided on the site throughout the demolition/construction phase of the development. Such toilet facilities are to be provided, at the ratio of one (1) toilet for every twenty (20) persons (or part thereof) employed/working on the site. Each toilet provided must be a standard flushing toilet and must be connected to a public sewer, or an accredited sewage management facility approved by council. If connection to either a public sewer or an accredited sewage management facility is not practicable, it shall be connected to some other sewage management facility approved by council. Toilet facilities must be provided and functioning **prior to the commencement of work**. In this clause:

accredited sewage management facility means a sewage management facility to which Part 2 of the Local Government (General) Regulation 2005 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in clause 41 of the Regulation.

public sewer has the same meaning as it has in the Local Government (General) Regulation 2005.

sewage management facility has the same meaning as it has in the Local Government (General) Regulation 2005.

(6) SafeWork NSW

The developer is required to comply with any and all requirements of the SafeWork NSW.

(7) Required documentation

For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans, copy of Development Consent (Notice of Determination) and Construction Certificate on site.

(8) Hours of Work

All building, excavation and demolition/decommissioning work is to be carried out between 7:00am and 6:00 pm Monday to Friday and 8am to 1pm Saturday with no work to be undertaken on Sundays or Public Holidays.

Variation to these times may be permitted on submission of a written request to Council indicating the date/s and time/s of the proposed work. It is also recommended that you liaise with occupants of any surrounding dwellings prior to carrying out work outside these hours.

(9) Shoring and adequacy of adjoining property

If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (a) protect and support the building, structure or work from possible damage from the excavation, and,

- (b) where necessary, underpin the building, structure or work to prevent any such damage.

The condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Prior to the issue of the Occupation Certificate

An Occupation Certificate must be obtained from the Principal Certifying Authority (PCA) prior to occupation of the new building, part of the building, or a change of building use. Prior to issue of an Occupation Certificate compliance with the following conditions is to be demonstrated.

(1) Accessway construction

One (1) additional accessway is permitted to be constructed off Bob Irvin Road to service the proposed development. **Prior to the issue of an Occupation Certificate**, the proposed accessway is to be constructed to an all-weather standard in accordance with Council's *Engineering Guidelines – Subdivisions and Development Standards*. The accessway is to include concrete culverts with concrete headwalls and guideposts.

(2) Landscaped Buffer

Prior to the issue of the Occupation Certificate, a 10 metre wide landscaped buffer is to be planted along all boundaries with predominantly native vegetation from the Weeping Myall Woodland community along the boundaries of the subject premises as per the amended site plan submitted to Council. The purpose of the buffer is to minimise the visual impact of the development and provide additional habitat in the locality.

(3) A Site Environmental Management Plan (SEMP) shall be submitted to Council for endorsement prior to the issue of any Occupation Certificate. The SEMP shall address, at minimum, the following issues in relation to operation of the facility:

- i) Noise management;
- ii) Dust management;
- iii) Weed and vermin management;
- iv) Land management including vegetation management;
- v) Flooding and debris issues; and
- vi) Written notification to Council that decommissioning is to take place.

(4) **Prior to the issue of the Occupation Certificate**, the applicant shall prepare an Emergency Response Plan for the development in consultation with the RFS and Fire & Rescue NSW. This plan must identify the fire risks and controls of the development, and the procedures that would be implemented if there is a fire on site or in the vicinity of the site. A copy of the plan must be kept in a prominent position adjacent to the site entry point off Bob Irvin Rd.

Demolition Management

Demolition must be carried out in accordance with the following conditions.

(1) Decommissioning

Within 18 months of the site being decommissioned, the site shall be returned, as far as practicable, to its condition prior to the commencement of construction in consultation with relevant landowners. All solar panels and associated above ground structures including but not necessarily limited to, the substation, the control and facilities building and electrical infrastructure, including underground infrastructure to a depth of 300 millimetres, shall be removed from the site unless otherwise agreed by the Council, except where the substation, control room or overhead electricity lines are transferred to or in the control of the local electricity network operator. All other elements associated with the project, including site roads, shall be removed unless otherwise agreed to by the Council.

On-Going Requirements

The following conditions or requirements must be complied with at all times, throughout the use and operation of the development.

(1) Management of Glint and Glare from Solar Panels

Glint and glare from the solar panels shall not cause a nuisance, disturbance or hazard to the travelling public on the public road network. In the event of glint or glare from the solar plant being evident from a public road, the proponent shall immediately implement glare mitigation measures such as construction of a barrier (e.g. fence) or other approved device to remove any nuisance, distraction and/or hazard caused as a result of glare from the solar panels.

(2) Ongoing access to site

The following conditions will apply for the lifetime of the subject development:

- (a) All vehicles are required to enter and leave the development in a forward direction to ensure traffic/pedestrian safety.
- (b) All vehicular loading and unloading is to be carried out within the site to prevent interference with the use of the public road by vehicles and pedestrians.
- (c) Vehicles accessing the development are to be limited to Semi-Trailer Vehicles as specified in *Austroads Design Vehicles and Turning Path Templates Guide 2013*.
- (d) No access to be granted from Irrigation Way or Morley Road.

(3) Access maintenance

The property owner remains responsible for the upkeep and maintenance of the accessway and associated facilities for the lifetime of the proposed development.

(4) No Improvements within Gas Transmission Easement

Buildings, structures, roadway, pavement, pipeline, cable, fence, on-site waste water treatment (or irrigation area), or any other improvement on or under the land within the gas transmission pipeline easement must not be constructed without prior consent in writing

from APA. No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.

(5) High Voltage Powerlines

The applicant must make good (at the applicant's cost) any hazards or risks to the APA Pipeline (including cathodic protection systems), caused by any powerlines.

(6) Services

The design of any infrastructure services to the proposed shed shall minimise encroachment on the gas pipeline easement. Any application for an APA permit for an easement crossing will be required to demonstrate that an alternative route, avoiding the easement, is not feasible.

(7) Pipeline Operator Access

The ability of the pipeline operator to access the easement must be maintained at all times to facilitate prompt maintenance and repairs. This may be through interlocking padlocks so APA has keyed access at any time. APA field officers will undertake any necessary site induction to facilitate unaccompanied access.

(8) External Lighting

External Lighting shall comply with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Any external lighting is to be so located or shielded so that no additional light is cast on adjoining land or that it will distract traffic.

(9) Compliance with Noise Control Legislation

The applicant shall ensure that all activities within the premises comply with the relevant sections of the Protection of the Environment Operations Act 1997 and Regulations; the NSW Environment Protection Authority Industrial Noise Policy (2000) and relevant Australian Standards on Noise Control on Construction, Maintenance and Demolition Sites.

(10) Weed and Pest Management

The property must be maintained to prevent the harbourage of pest and the risk of fire. The property must meet the obligations of the Biosecurity Act 2015 in managing declared pest animal and plant species, and comply with the minimum standards of fire prevention maintenance as legislated by the Local Government Act 1993.

(11) Ongoing management of the site shall:

a) Implement suitable measures to manage pests, vermin and declared noxious weeds on site; and

b) Inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or declared weeds are not present on site in sufficient numbers to pose an environmental hazard, including grassfire hazard, or cause the loss of amenity in surrounding area.

For the purposes of this condition, declared weeds are those species subject to an order under the Biosecurity Act 2015.

(12) Potential Contamination

Any dielectric fluid used must be managed to prevent contamination. Any spillage of this fluid must be recorded and notified to Council. In the event of a major spillage, the NSW Environmental Protection Agency must also be notified in regards to a pollution event.

(13) The Proponent shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code) and combustible liquids, strictly in accordance with:

a) All relevant Australian Standards;

b) A minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and

c) The EPA's Environment Protection Manual Technical Bulletin Bunding and Spill Management. In the event of an inconsistency between requirements listed from a) to c), the most stringent requirement shall prevail to the extent of the inconsistency

(14) Upgrading of solar panels and ancillary infrastructure

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

Attachment C – Advisory Notes

The following information is provided for your assistance to ensure compliance with the *Environmental Planning & Assessment Act 1979*, *Environmental Planning & Assessment Regulation 2000*, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

(1) Roadside vegetation on Morley Road is to be protected, to retain habitat value and to provide additional visual screening to residential receptors south of the subject site.

Note: Roadside Vegetation on Morley Road comprises Weeping Myall Woodland Community.

Attachment D – Other Council Approvals and Consents**Section 68 Local Government Act 1993 Approvals**

This consent includes the following approvals under Section 4.12 of the *Environmental Planning and Assessment Act 1979* and Section 68 of the *Local Government Act 1993*.

nil