

CONSENT CONDITIONS – SOLAR FARMS

NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-411 – DA2025/6
PROPOSAL	Construction of a 27MW solar farm, ancillary battery storage and associated plant, and fencing.
ADDRESS	2912 Gwydir Highway MOREE NSW 2400 Lot 2 DP1315847 (previously 2910 Gwydir Hwy Lot 2 DP773266)
APPLICANT	Emma Mailler on behalf of The Trustee for Hiringa Sundown Project Trust
APPLICATION TYPE	Local Development Application

PART A: GENERAL

A1 Approved Plans and Supporting Documentation

The development must be implemented in accordance with the approved plans, specifications and supporting documentation listed below which have been endorsed by Council's approved stamp, except where amended by conditions of this consent:

Plan/Report Title	Reference No	Rev	Prepared by	Date
Design Plans				
Site Plan (whole site extent)	24-277	E	SMK Consultants	23/05/2025
Site Plan	S092023-1	G	Kinelli Pty Ltd	25/09/2025
Cross-section of Solar Array	24-277	A	SMK Consultants Pty Ltd	27/05/2025
Cross-section of Solar Farm	24-277	-	SMK Consultants Pty Ltd	-
Reports				
Statement of Environmental Effects	24-277	3	SMK Consultants Pty Ltd	07/05/2025
Traffic Impact Assessment	745 rep02250509	B	Amber Traffic & Transportation Direction	09/05/2025
Vegetation Management Plan	-	1	SMK Consultants Pty Ltd	21/05/2025
Fire Management Plan	24-277	E	SMK Consultants Pty Ltd	25/05/2025
Preliminary Waste, Resource and Energy Management Plan	-	0	SMK Consultants Pty Ltd	May 2025

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions prevail. In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail.

Reason: To ensure the development proceeds in the manner assessed by Council and all parties are aware of the approved plans and supporting documentation that applies to the development.

A2 Signage

A separate application shall be submitted to Council prior to the erection of any signage unless the proposed signage is 'exempt development' under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or any other applicable environmental planning instrument.

Reason: To ensure any signage is assessed in accordance with the planning controls.

A3 Compliance with the National Construction Code

All building work shall be carried out in accordance with the provisions of the Building Code of Australia. A reference to the *National Construction Code / Building Code of Australia* is a reference to that Code as in force on the date the application is made for the relevant construction certificate.

Note: Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.

Reason: To ensure the building work complies with the National Construction Code.

A4 Lapsing of consent

This consent is limited to a period of 5 years from the date of the Notice of Determination unless the works associated with the development have physically commenced.

Reason: To ensure compliance with Section 4.53 of the *Environmental Planning and Assessment Act 1979*

A5 Time Limited Consent

The use of the site for the solar farm is limited to a period of thirty five (35) years from the release of an occupation certificate or until such time the operation is decommissioned, whichever occurs first within the 35 years.

Reason: To limit the period during which the development may be carried out.

A6 Decommissioning

The land must be returned to its pre-existing condition (prior to use as a solar farm) and all solar farm infrastructure removed once the project is decommissioned. This does not include trees planted. The land must be rehabilitated and restored, including the pre-existing land and soil capability class if previously used for agricultural

purposes. The solar energy project owner or operator shall be responsible for decommissioning and rehabilitation unless there is an agreement with the 'host landowner' that clearly outlines alternate responsibilities.

Reason: To ensure that plant is removed to avoid potentially hazardous chemical spills from the Bess systems, and the land is rehabilitated.

A7 Requirements of Government Agencies

The following conditions and comments have been imposed by government agencies:

(a) Essential Energy

The applicant is to ensure that:-

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
3. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
4. Prior to carrying out any works, a "Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

Reason: To maintain the safety of workers and others in and around the site, and, to protect electricity infrastructure.

(b) NSW Rural Fire Service (General Terms of Approval)

1. A Fire Management Plan(FMP) shall be prepared/updated for the proposed development and provided to the local NSW RFS District office for comment. Any comment from the District Office shall be adopted into the

FMP. As a minimum, the FMP shall include:

- 24-hour emergency contact details including alternative telephone contact;
 - Site infrastructure plan;
 - Fire fighting water supply plan that provides suitable fittings and identifies operational access for fire fighting vehicles to connection points;
 - Site access and internal road plan;
 - Construction of asset protection zones (APZ) around all critical assets and infrastructure and their continued maintenance;
 - Location of hazards (physical, chemical, and electrical) that will impact on the fire fighting operations and procedures to manage identified hazards during the fire fighting operations;
 - Mitigation measures designed to minimise risk of fire occurring within the site; and
 - Such additional matters as required by the NSW RFS District Office.
2. The entire solar array and electricity storage footprint shall be managed as an asset protection zone as outlined within Appendix 4 of Planning for bush Fire Protection 2019 and the NSW RFS document Standards for asset protection zones.
 3. To allow for emergency service personnel to undertake property protection activities, a 10 metre wide defensible space (incorporating a minimum 4 metre wide trafficable area) managed as an asset protection zone shall be provided around the outside perimeter of the solar array and associated infrastructure.
 4. Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019.

Reason: The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

(c) **Transport for NSW (TfNSW)**

1. Prior to commencing work the applicant must:
 - a. Prepare, to the satisfaction of Council and TfNSW, a Construction Traffic Management plan including a Traffic guidance Scheme.
2. Apply for, and obtain, a Road Occupancy Licence (ROL) prior to commencing road works on a State Road or any other works that impact a travel lane of a State Road.

NOTE:

- For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
- The applicant will need to create an account (this may take a few days to register), prior to submitting the ROL application. The applicant must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval

for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant Traffic Management Plan (TMP).

- The application will require a TMP prepared by a person who is certified to prepare Traffic Control Plans.
3. Prior to commencing construction, mitigation measures to prevent gravel from tracking onto the public road network are to be implemented.
 4. Prior to commencing operations, the developer must enter into a Works Authorisation Deed (WAD) with TfNSW for works within the Gwydir Highway as generally shown in Drawing MKR00959-201-C0100.

NOTE

- Works are not required to be completed for this condition, only the agreement signed, executed and fees paid for the WAD.
 - The applicant intends to construct the proposed access prior to the completion of its concurrently managed project for the Green Hydrogen and Ammonia Plant.
 - A WAD is a legally binding contract between TfNSW and the developer, authorising the developer to undertake works on a state road.
 - To progress the WAD, the developer needs to email a copy of the conditions of development consent to development.south@transport.nsw.gov.au.
 - All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of the pre-qualified contractors can be found on the TfNSW website at: <https://www.transport.nsw.gov.au/operations/roads-and-waterways/business-and-industry/partners-and-suppliers/tenders-and-11>.
 - Any new services or modifications to existing services associated with this development application that involve works on, over or under the state road must be incorporated into, and managed under, the WAD for the project. Note, it is the developer's responsibility to identify these works to TfNSW project manager.
 - More information WADs can be found at: <https://www.transport.nsw.gov.au/operations/roads-and-waterways/business-and-industry/partners-and-suppliers/private-development-1-2>
5. The following are to be completed within 12 months post practical completion of the development:
 - The applicant must adequately seal the throat of the access road as shown in Drawing MKR00959-201-C0100. if not completed via in conjunction with the WAD for the Green Hydrogen and Ammonia Plant. The applicant is to obtain relevant S138 consent from Council.

Reason: To ensure compliance with Section 4.47(3) of the Environmental Planning and Assessment Act 1979 and the conditions of Government agencies are complied with.

PART B: PRIOR TO THE ISSUE OF ANY CONSTRUCTION CERTIFICATE

B1 Construction Certificate

A Construction Certificate is required for the development in accordance with Section 6.7(1) of the *Environmental Planning and Assessment Act 1979*.

Reason: To ensure compliance with the *Environmental Planning and Assessment Act 1979*.

B2 Payment of Security Deposits, Levies and Contributions

The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment. Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

- (a) **Payment of building and construction industry long service levy** - The applicant must pay the long service levy of \$28,876.00 as calculated at the date of this consent to the Long Service Corporation or Council under Section 34 of the Building and Construction Industry *Long Service Payments Act 1986* and provides proof of this payment to the certifier.
- (b) **Public liability insurance** - Prior to the commencement of any works on Council land including a public road, the applicant is to obtain Public Liability Insurance in the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate/Occupation Certificate for the works. Documentary evidence of the Certificate of Currency is to be provided to Council prior to the issuing of any Construction Certificate for access.
- (c) **Payment of development contributions** – as outlined in the Voluntary Planning Agreement dated 22 August 2025, entered into between Hiringa Sundown(GEGHA) Project Co Pty Ltd, Moree Plains Shire Council and Minister for Planning and Public Spaces, for the project being a State Significant Development for a Hydrogen, Ammonia and BOP and the Solar Farm, being this development. The VPA sets out the calculation and payment of contributions for these developments.
- (d)

Reason: To ensure payments are made in accordance with legislative requirements.

B3 Stormwater Management

The development must not result in the diversion of overland surface waters onto private adjoining properties.

Reason: To ensure stormwater is appropriately managed on the site.

B4 Vehicle Access Requirements

Entry and exit points are to be clearly signposted and visible from both the street and the site at all times. All required works are to be completed in accordance with Council/Transport for NSW standards prior to the commencement of construction works on the site. Details must be provided on the Construction Certificate plans.

Reason: To ensure safe, practical and legal vehicle access is provided to the site.

B5 External Lighting

Any lighting used on the site in connection with the development is to comply with AS 4282 – *Control of the obtrusive effects of Outdoor lighting*. The applicant must minimise off-site lighting impacts arising from the development and any external lighting is installed as low intensity lighting except where required for safety or emergency purposes. Details are to be shown on the Construction Certificate plans.

Reason: To protect the amenity of the surrounding area.

B6 Car Parking

All driveways, access ramps, vehicular crossings and car parking spaces shall be designed and constructed in accordance with the current version of Australian Standards, AS 2890.1-2004: *Parking Facilities – Off-street Car Parking* and AS 2890.2:2018 - *Parking facilities Off-street commercial vehicle facilities*. All car parking for the operation of the solar farm is to be provided on an all-weather surface and line marked.

Details are to be provided with the Construction Certificate application.

Reason: To ensure driveways, access ramps, vehicular crossings and car parking complies with the relevant Australian Standards.

PART C: PRIOR TO WORKS COMMENCING

C1 Appointment of Principal Certifying Authority

Prior to the commencement of work, the person having the benefit of the development consent and a Construction Certificate shall:

- (a) Appoint a Principal Certifying Authority and notify the Council of the appointment (if Council is not appointed); and
- (b) Notify Council of their intention to commence building work (at least 2 days' notice is required).

Reason: To ensure compliance with the *Environmental Planning and Assessment Act 1979*.

C2 Signs on site

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

- (a) showing the name, address and telephone number of the principal certifier 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 or demolition work is being carried out but must be removed when the work has been completed.

Reason: Prescribed Condition under Clause 98A(2) and (3) of the Regulation.

C3 Toilet Facilities during Construction

Toilet facilities must be provided on the work site during construction at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site. Each toilet provided must:

- (a) Be a standard flushing toilet, connected to a public sewer, or
- (b) If connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- (c) A portable toilet.

Reason: To provide appropriate on-site amenities during demolition and construction work.

C4 Implementation of the Construction Site Management Plan and Waste Management Plan

A Construction Site Management Plan (incorporating the Sediment and Erosion Control Plan and Construction Traffic Management Plan, and the Waste Management Plan) as well as but not limited to dust control, must be prepared to the satisfaction of the Certifier prior to the issue of the construction certificate and then implemented and maintained prior to, and during, the construction works on the site until works are completed and all exposed surfaces are landscaped/sealed.

Reason: To ensure measures that will protect the public, and the surrounding environment, during site works and construction are implemented prior to works commencing on the site.

C5 Utility Services

Prior to the commencement of work the Applicant is to negotiate with the utility authorities in connection with the relocation and/or adjustment of the services affected

by the development. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council.

Reason: Protection of infrastructure

PART D: DURING WORKS

D1 Construction Hours

The hours of building work shall be limited to the following hours:

- (a) Monday to Friday: 7am to 6pm;
- (b) Saturday: 8am to 1pm;
- (c) Sunday or Public Holidays, no construction or noise generating works.

Unless otherwise approved within the Construction Site Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works. Note: Any variation to the hours of work requires Council's approval.

Reason: To ensure the amenity of the area is maintained during construction.

D2 Compliance with Construction Site Management Plan

The requirements of the approved Construction Site Management Plan must be complied with and maintained for the duration of the construction works. This includes, but is not limited to, the following:

- (a) All practicable measures shall be undertaken to prevent and minimise harm to the environment and the amenity of the area as a result of the construction and operation of the development, particularly from wind-blown dust, debris, noise, erosion and soil management and the like.
- (b) All building materials and equipment must be stored wholly within the site unless an approval to store them elsewhere has been granted.

The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

Reason: To ensure the required site management measures are implemented during construction.

D3 Waste Management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan. Upon disposal of waste, the applicant is to compile and provide records of the disposal to the Principal Certifier, detailing the following:

- (a) The contact details of the person(s) who removed the waste
- (b) The waste carrier vehicle registration
- (c) The date and time of waste collection
- (d) A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- (e) The address of the disposal location(s) where the waste was taken
- (f) The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

D4 Responsibility for Changes to Public Infrastructure

While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure or services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

Reason: To ensure payment of approved changes to public infrastructure.

D5 Discovery of Aboriginal Objects

While excavation or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or

both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

D6 Discovery of Contamination

Should any unexpected contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority is notified and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

Reason: To ensure contamination discovered during construction is dealt with as quickly as possible and to protect the health of the community and the environment.

D7 Construction Noise

- The building work must comply with the Noise Policy for Industry (NSW EPA, 2017) and the Interim Construction Noise Guidelines (NSW EPA 2009).

Reason: To protect the amenity of the neighbourhood.

D8 Imported Fill

While construction work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) All excavated material removed from the site must be classified in accordance with the EPA's *Waste Classification Guidelines* before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier,
- (b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.

D9 Critical Stage Inspections

Building work must be inspected on the occasions set out for critical stage inspections for building work under the *Environmental Planning and Assessment Regulation 2021*.

Reason: To require approval to proceed with building work following each critical stage inspection and comply with the Regulation.

D10 Native Vegetation

There must be no removal or disturbance of native vegetation except as authorised by this consent, including canopy trees, understorey and ground cover vegetation without the prior written consent of Council.

Reason: To ensure vegetation is maintained on the site.

D11 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of Council or the PCA.

Reason: To ensure compliance with approved plans

D12 Dust Management

The Applicant shall carry out all reasonable and feasible measures to minimise dust generated by the development. Strategies included in part 5.7.1 of the Statement of Environmental Effects are to be implemented.

Reason: Environmental protection and neighbourhood amenity

PART E: PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

E1 Occupation Certificate

Occupation and operation of the solar farm is not to occur until all work has been completed, all of the conditions of consent have been satisfied and an Occupation Certificate has been issued by the Principal Certifying Authority pursuant to Section 6.10 of the *Environmental Planning and Assessment Act 1979*.

Reason: To ensure compliance with the *Environmental Planning and Assessment Act 1979*.

E2 Completion of Public Utility Services

Before the issue of the relevant Occupation Certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, and is completed to the satisfaction of the relevant authority. Before the issue of the Occupation Certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

E3 Completion of all Works

All works must be completed in accordance with the conditions of this consent prior to the issue of an Occupation Certificate including, but not limited to, the following

- (a) Car parking areas and vehicle access points;

- (b) Fencing;
- (c) Bushfire Protection Measures and standards as outlined in this consent shall be installed and completed;
- (d) All drainage works required to be undertaken in accordance with this consent shall be completed prior to the issue of an Occupation Certificate for the development.

Reason: To ensure adequate arrangements have been made for the development.

E4 Easements and Covenants

Prior to the issue of an Occupation Certificate, the following easements and/or restrictions created under the *Conveyancing Act 1919* must be registered on the title of the land with the NSW Land Registry Services:

- (a) A positive covenant requiring decommissioning, rehabilitation and restoration within six (6) months following end of life of the project and for this to occur at no cost to Council.

The proprietor, or successor, must bear all costs associated with the preparation of these instruments. Moree Plains Shire Council is to be clearly identified as the authority empowered to modify, vary or release the terms of the encumbrances on title.

Reason: To ensure the development provides the necessary easements and restrictions on the land title.

E5 Removal of Waste upon Completion

Before the issue of an Occupation Certificate, the Principal Certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the Principal Certifier. Before the issue of a partial Occupation Certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved Waste Management Plan to the Principal Certifier's satisfaction.

Reason: To ensure waste material is appropriately disposed or satisfactorily stored

PART F: OPERATIONAL CONDITIONS

F1 Decommission Management Plan

A Decommissioning Plan must be provided to Council (or relevant approval authority) generally consistent with the s.88B Positive Covenant for review and approval no later than 12 months prior to the proposed cessation of operations. It must include, but not be limited to, the following:

- (a) Expected timeline for rehabilitation completion;

- (b) Decommissioning of all solar panels, battery energy storage system (BESS), above and below ground infrastructure, inverter stations, fencing and any other structures or infrastructure relating to the approved development;
- (c) Programme of site restoration to return the land to its previous state prior to use as a solar farm, with the retention of landscaping; and
- (d) Details on waste management and recycling of all materials arising from the development.

Reason: To ensure the decommissioning of the solar farm occurs in an orderly and sustainable manner, that the amenity of the area is maintained while the solar farm is being decommissioned and to ensure the site can be returned to its original condition.

F2 Emergency Management Plans

The Fire Management Plan shall be activated when required throughout the operation of the development and shall be updated if required.

During occupation of the development, the applicant must ensure the site is managed, in accordance with *Planning for Bushfire Protection 2019* and the NSW Rural Fire Service's document *Standards for Asset Protection Zones*. Any required bushfire protection measures are to be maintained throughout the operation of the solar farm at the site.

Reason: To ensure the protection of human life, the environment and adjoining property in the event of fire or other emergency generated by the development.

F3 Operations Environmental Management Plan

An Operations Environmental Management Plan ('OEMP') for the development shall be prepared and complied with throughout the operation of the development.

Reason: To ensure the solar farm is operated in accordance with relevant Australian Standards and best practice.

F4 Vehicle Management

The premises shall be operated in accordance with the following vehicle management requirements:

- (a) All loading and unloading of vehicles must be undertaken wholly within the site and all vehicles must enter and leave the site in a forward direction.
- (b) Sufficient car parking is to be provided on the site, with no car parking to occur on the public road network in the vicinity of the site.
- (c) The vehicle entry and exit points are to be clearly signposted and visible from both the street and the site at all times and must be maintained in good condition for the life of the development.

Reason: To ensure the operation of the solar farm does not adversely affect the surrounding road network and has adequate car parking provided on the site.

F5 Visual Impacts

The applicant must:

- (a) Minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;
- (b) Ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape. Material and colour choice are to be non-reflective muted tones; and
- (c) Not mount any advertising signs or logos on site, except where this is required for safety purposes.

Reason: To minimise the visual impact of the development.

F6 Operation of Plant and Equipment

All plant and equipment used on the site or in connection with the development is to be maintained in a proper and efficient condition and operated in a proper and efficient manner.

Reason: To ensure all plant and machinery on the site is in good working order and is operated in a safe manner.

F7 Storage of Hazardous Materials

All dangerous and hazardous materials on site must be stored and handled in accordance with *AS 1940-2004: The storage and handling of flammable and combustible liquids*. The storage of any dangerous and hazardous materials must be provided in a suitably bunded and impervious area and in such a way as to minimise spills of hazardous materials or hydrocarbons. Clean up any spills must occur as soon as possible.

Reason: To minimise harm to the environment.

F8 Maintenance of Wastewater and Stormwater Treatment Device

During occupation and ongoing use of the solar farm, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are to be regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Reason: To protect sewerage and stormwater systems.

F9 Noise Control During Operation

Any noise generated from the operation of the solar farm, including noise from any substation and associated infrastructure, must not be intrusive or constitute offensive noise as defined by the *Protection of the Environment Operations Act 1997* at any private residential receiver.

The operation of the solar farm must satisfy the EPA maximum noise criteria pursuant to the EPA's *Noise Policy for Industry (2017)*. If, at any time, these levels are exceeded,

operation of the solar farm shall immediately be modified, including suspension of operations if necessary, to ensure compliance.

Reason: To protect the amenity of the area while the solar farm is in operation.

F10 Waste Materials

The Applicant must:

- (a) minimise the waste generated by the development;
- (b) classify all waste generated on site in accordance with the NSW EPA *Waste Classification Guidelines, Part 1: Classifying Waste*, November 2014 (or its latest version);
- (c) store and handle all waste on site in accordance with its classification;
- (d) not receive or dispose of any waste on site; and
- (e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.

Reason: To protect the environment.

PART G: ADVISORY NOTES

Other Approvals and Permits

1. The Applicant is solely responsible for obtaining any necessary permits including crane permits, road opening permits, hoarding or scaffolding permits, footpath occupation permits and/or any other approvals under Section 68 (Approvals) of the *Local Government Act, 1993* or Section 138 of the *Roads Act, 1993*.

Responsibility for other Consents / Agreements

2. The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Disability Discrimination Act

3. This application has been assessed in accordance with the *Environmental Planning and Assessment Act 1979*. No guarantee is given that the proposal complies with the *Disability Discrimination Act 1992*. The Applicant/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The *Disability Discrimination Act 1992* covers disabilities not catered for in the minimum standards called up in the National Construction Code which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the *Disability Discrimination Act 1992* currently available in Australia.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

4. The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister. This application has been assessed in accordance with the *New South Wales Environmental Planning & Assessment Act, 1979*. The determination of this assessment has not involved any assessment of the application of the Commonwealth legislation. It is the Applicant's responsibility to consult the Department of Sustainability, Environment, Water, Population and Communities to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

Site Contamination issues During Construction

5. Should any new information come to light during demolition or construction works which has the potential to alter previous conclusions about site contamination then the Applicant must be immediately notified and works must cease. Works must not recommence on site until the consultation is made with the Department.

Covenants

6. It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.

Before You Dig

7. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

8. Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

General

9. Development Consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the lapse date except where a condition specifies a limit to the duration of the consent.