

CONSENT CONDITIONS – DA2018/11.4
SOUTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSTH – DA2018/11.4
PROPOSAL	(Modification to) 30MG Solar Farm
ADDRESS	Lot 3 DP585471, Lot 2 DP585471 346 Old Sydney Road, MARINNA NSW
APPLICANT	Mr Ian Kirkham METKA EGN AUSTRALIA PTY LTD ABN: 29 627 887 709
APPLICATION TYPE (DA, Concept DA, MOD, Integrated, Designated)	Section 4.55 (2) Modification

GENERAL

1. The applicant shall carry out the proposal, and works shall be undertaken, generally in accordance with the information supplied to Council, detailed as follows:
 - (a) The Development Application 2018/11 dated 15 February 2018, submitted to Junee Shire Council
 - (b) The Statement of Environmental Effects, dated February 2018, prepared by Geolyse
 - (c) The Aboriginal Archaeological Due Diligence Assessment, Junee Solar Farm, dated 2 January 2018 prepared by EMM Consulting
 - (d) The Biodiversity Assessment, Junee Solar Farm, dated 13 February 2018 prepared by EMM Consulting
 - (e) The Junee Solar Farm – Noise and Vibration Impact Assessment, dated December 2017 prepared by Assured Monitoring Group
 - ~~(f) The Visual Amenity Assessment prepared by IRIS Visual Planning + Design, dated July 2018 and Memo dated 11 October 2018, Landscape Concept Plan, Landscape Concept Sections, Plant Lists and Photomontages of Viewpoints 3 and 6.~~
 - (f) The Visual Impact Assessment prepared by Accent Environmental dated ***** and, Onsite Vegetation Screening Plan dated *****.**

- (g) The Concept Farm Plan and Detail Views, prepared by Geolyse, dated 4 October 2018
- (h) The Site Design and Ground Cover Assessment for Junee Solar Farm, prepared by Terrain Solar

unless otherwise specified by the conditions of this consent.

2. The use not commencing until such time as ALL the requirements of the conditions of this consent have been carried out to the reasonable satisfaction of Junee Shire Council, as signified in writing.
3. The builder must at all times maintain on the job, a legible copy of the plans and specifications bearing the stamp and building permit of Council.
4. A notice bearing the lot number and the builders name and license number shall be prominently displayed at the front of the land from the time the development application is submitted to Council until the building is complete.
5. The building works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council. No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.
6. Toilet facilities are to be provided, at or in the vicinity of the work site, on which a building is being erected.
7. All building works must be carried out in accordance with the provisions of the Building Code of Australia.
8. All practicable measures must be taken to prevent and minimise harm to the environment as a result of the construction and operation of the development.
9. All operations and activities occurring at the premises must be carried out in a manner that will minimise dust at the boundary of the premises.
10. General construction works may only be carried out between 6:00am and 6:00pm Monday to Saturday with low impact, low noise generating activities conducted between 6:00am to 6:00pm on Sundays and public holidays.
11. Building materials and equipment must be stored, in a neat and tidy manner, wholly within the work site unless an approval to store them elsewhere is held.
12. The work site must be left clear of waste and debris at the completion of the works.

PRIOR TO CONSTRUCTION

13. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.
14. In order to ensure the structural adequacy of the structure, additional details in regard to the following matters shall be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.
 - a. Structural drawings prepared and signed by a suitably qualified engineer certifying compliance with the relevant Australian Standard.

- b. Site movement plan comprising directional signage, speed limits, pedestrian movements, road maintenance and dust suppression, and lighting in order to manage site safety
15. Prior to the issue of the Construction Certificate, a full soil survey shall be prepared to assist in determining construction limitations and land management operations, and to provide a baseline to measure soil characteristics post closure of the Junee Solar Farm.
 16. Prior to the issue of the Construction Certificate, a Construction Environmental Management Plan shall be prepared, submitted and approved by Council. The approved plan shall be implemented during construction of the solar electricity system. The plan shall include a range of management controls as outlined in the approved SEE and other conditions listed in this consent. The plan shall include, but not limited to:
 - a) Aboriginal Heritage Management
 - b) Native Vegetation Management
 - c) Construction Traffic Management
 - d) Bush Fire Management
 - e) Waste Management
 - f) Erosion and Sediment Control
 - g) Noise Management
 - h) Dust Management
 - i) Soil and Water Management
 - j) Weed Management
 - k) Integrated Site Restoration
 - l) Operation Hours
 - m) Security Management
 - n) Requirements and conditions of Essential Energy to connect to the state power grid
 17. Clearing of roadside vegetation to facilitate site access shall be kept to a minimum, with the final plan indicating trees to be removed, to be approved by Council prior to construction commencing.
 18. Contact shall be made with the Local Brigade of the NSW Rural Fire Service and details about the construction schedule, contact numbers and site access arrangements shall be shared.
 19. Consultation with nearby landowners shall occur, prior to construction commencing, to advise of the construction schedule and the Construction Environmental Management Plan (CEMP). The CEMP shall include management of interactions between construction vehicles and farm machinery movements on roads, to avoid impeding on cropping activity or impacting on the safety of road users.
 20. The site shall be monitored and maintained to a satisfactory condition by maintenance staff, for the management of grass and weeds growth including maintenance of ground

cover, and any indications of erosion. Prior to the commencement of the annual Bushfire Danger Period, a joint inspection shall be conducted in conjunction with Junee Shire Council representatives and the local Rural Fire Service, to ensure that vegetation mitigation measures have been conducted to a satisfactory standard.

21. Appropriate safety signage shall be displayed adjacent to the site entrance on Old Sydney Road advising of emergency contact details.
22. Pursuant to Section 7.12 of the Environmental Planning and Assessment Act 1979, the monetary contribution applicable as a S7.12 development levy is to be paid to Junee Shire Council prior to the issue of Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Junee Shire Section 94A Contributions Plan 2016, which may be viewed during office hours at Council's Customer Service Centre, 29 Belmore Street, Junee, or on Council's website www.junee.nsw.gov.au.

The contribution payable will be calculated in accordance with the contributions plan current at the time of payment and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

PRIOR TO RELEASE OF OCCUPATION CERTIFICATE

23. Prior to the commencement of the solar energy system an Operations Environmental Management Plan (OEMP) shall be prepared, submitted and approved by Council. The approved plan shall be implemented for the lifetime of the development on the subject site. The Plan must include a range of measures as outlined in the SEE which include, but are not limited to:
 - a) General maintenance and operation of the site e.g. inspection times, contact details of the site manager/maintenance staff;
 - b) Addressing complaints relating to the operation of the premise;
 - c) Access arrangements to the site;
 - d) Emergency, safety and security;
 - e) Groundcover management
 - f) Weed management and biosecurity;
 - g) Monitoring and mitigation measures for future rehabilitation remedial actions
 - h) Bushfire management, including annual inspection of the site prior to the Bushfire Danger Period;
 - i) Reviews, amendments and updates to the plan;
 - j) Management of water runoff and risk of erosion; and
 - k) Future site decommissioning
 - l) A waste management plan that details initial and ongoing treatment of waste generated from the site.

24. The OEMP shall include details of the proposed management practices to occur at the development site in relation to managing weeds at the site involving appropriate invasive weed management techniques and procedures. This shall include use of appropriate chemical sprays to reduce the transfer of weed seeds to neighbouring properties by water and wind. The OEMP shall include measures to manage herbicide resistance. The weed management section of the OEMP shall be prepared by a suitably qualified professional.
25. The OEMP shall include a minimum of six inspections per year, by an agronomy specialist in order to provide weed management actions, to be completed by the onsite maintenance staff.
26. The OEMP shall require the maintenance of a suitable groundcover at the development site, for the lifetime of the solar farm, to be renewed as required under the advice of the agronomy specialist. The groundcover shall be a suitable native or non-invasive groundcover to minimise the potential for weed invasion to native vegetation on the roadside of Old Sydney Road, and to neighbouring properties.
27. The OEMP shall include specific controls to maintain a suitable fire break around the development site, manage fuel load onsite, and manage the risk of bushfire during high fire danger periods and total fire ban days.
28. Prior to construction work commencing, the applicant shall prepare and provide a report to the satisfaction of Council, detailing the condition of Old Sydney Road and Millbank Road. Following completion of construction, a dilapidation report shall be prepared by the applicant detailing the subsequent condition of Old Sydney Road and Millbank Road. Any deterioration of Old Sydney Road and Millbank Road as a result of project construction shall be rectified by the applicant to the satisfaction of Council.
29. As part of the OEMP, a Rehabilitation and Decommissioning/Closure Plan shall be prepared and submitted for approval by Council. The plan shall include rehabilitation objectives and strategies, including:
 - a. A description of the design criteria of the final landuse and landform;
 - b. indicators to guide the return of the land back to agricultural production;
 - c. expected timeline for the rehabilitation program;
 - d. management controls regarding decommissioning and removal of all solar arrays, above and below ground infrastructure and any structures or infrastructure relating to the solar energy works, upon cease of solar energy works;
 - e. a commitment to remove all solar farm infrastructure located to a depth of 800mm below the land surface.

All works shall follow the same management principles outlined in the Construction Management Plan.

30. Consultation with nearby landowners, located within 1.5 kilometres of the development site, shall occur prior to the completion of the Operations Environmental Management Plan (OEMP).

BUILDING/CONSTRUCTION

31. Prior to 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 Council of the appointment (if Council is not appointed), and
 - (b) notify Council of their intention to commence the erection of the building (at least 2 days' notice is required).
32. Forty-eight (48) hours' notice is to be given by the Builder to Council to enable inspections to be carried out and Compliance Certificate issued at each of the following steps -
- (a) Excavation for pier, strip footings and slabs with steel if required, before pouring concrete.
33. The applicant shall be responsible for compliance with the requirements of the WorkCover Authority of NSW.
34. The applicant shall minimise the creation of dust due to vehicles movements onsite through reduced construction vehicle speed and dust suppression using a water truck, where required.
35. The paddock trees shown to be retained on Figure 3.1 of the Biodiversity Assessment prepared by EMM Consulting shall be retained and protected during construction using appropriate tree protection measures, including installation of tree protection fencing, to be maintained throughout the construction period.
36. Clearing of the hollow-bearing Black Cypress Pine, identified on Figure 3.1 of the Biodiversity Assessment prepared by EMM Consulting shall occur outside of winter, due to the tree being a potential nesting habitat.
37. The clearing of the hollow-bearing tree must occur using a three stage clearing protocol whereby the tree is
- Disturbed/tapped by machinery 24 hours prior to felling to allow fauna to self-relocate
 - Felling the tree the following day
 - Leaving the felled tree in situ for at least 24 hours to allow any fauna present to self-relocate.
38. If, during construction, a potential site of Aboriginal heritage or potential Aboriginal object, is uncovered, all work in the vicinity of that area shall cease.
39. If any Aboriginal object is discovered and/or harmed in, on or under the land, while undertaking the proposed development activities, the proponent must:
1. Not further harm the object
 2. Immediately cease all work at the particular location
 3. Secure the area so as to avoid further harm to the Aboriginal object
 4. Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location
 5. Not recommence any work at the particular location unless authorised in writing by OEH.

40. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and the NSW Police and OEH contacted.
41. Future Battery Storage Bay: Although the general location of a 'future battery storage bay' is approved under this consent, the actual installation of a battery storage system associated with the solar farm development will be subject to its own separate planning approval.

Reason: *To ensure that the actual works involved in the installation of a battery storage system onsite is considered suitable for the site and obtains planning approval that may be applicable at the time of proposed installation.*

42. Maximum Energy Generation: The Solar Farm development once completed shall not have the capacity to generate more than 30 megawatts of electrical power, without the planning approval.

Reason: *Electricity generating stations that generate more than 30 megawatts of electrical power (including solar powered generators) are described as being 'Designated Development' under Schedule 3 of the Environmental Planning and Assessment Regulation 2000. Planning approval would be required to generate additional electric energy over 30 megawatts.*