

Attachment A – Draft conditions of consent

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	Revision	Prepared by	Date
Solar PV Equipment (central inverter layout)	-	A	Atlas Renewables	04/09/2023
Solar PV Equipment (battery container – front, side and top view)	-	A	Atlas Renewables	04/09/2023
Solar PV Equipment (security fence front view, security fence, landscape and tracking section view)	-	A	Atlas Renewables	04/09/2023
Solar PV Equipment (tracking system front view, side view, typical layout and typical tracking system)	-	A	Atlas Renewables	04/09/2023
Landscape Plan	Job: 460	C	SKM Planning	24/01/2023
Site Plan	-	C	Allied Consulting Engineers	19/12/23
Statement of Environmental Effects	-		SKM Planning	06/09/2023
Traffic Impact Assessment	-	4	Pavey Consulting Services	04/09/2023
Aboriginal Cultural Heritage Desktop Assessment	-	1	Aboriginal Cultural Heritage Management	18/08/2023
Solar Glint and Glare Assessment	-	-	Altas Renewables	24/08/2023
Construction Noise and Vibration Impact Assessment	17223	1	SoundIn	Aug 2023
Preliminary Site Investigation	-	-	SKM Planning	19/12/2023
Letter – response to RFI	-	-	SKM Planning	22/12/2023

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 Compliance with the Building Code of Australia

All building work shall be carried out in accordance with the provisions of the Building Code of Australia. A reference to the *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.

Reason: To ensure the building work complies with the Building Code of Australia.

A3 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*

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 Design Amendments

Before the issue of a Construction Certificate, the certifier must ensure the construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council:

- (a) The Site Plan is to be amended to show the access gate located a minimum of 20m into the site along the internal access track. This is to allow for the off-street standing of large vehicles when gates are to be opened.
- (b) The Landscape Plan is to be amended to provide a 5m wide landscape buffer consisting of locally native, drought resistant species planted in a double row. It is to include a range of plant species of various heights up to 3m. The 5m landscape buffer is to be clearly shown as located entirely inside the property

boundary and is to extend the entire length of the Burkes Road site frontage and the entire length of the southern site boundary.

Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development

B3 Payment of Long Service Levy and Public Liability Insurance

The following payments must be made prior to the issue of the Construction Certificate.

- (a) **Payment of building and construction industry long service levy** - The applicant must pay the long service levy to the Long Service Corporation or Council under Section 34 of the Building and Construction Industry *Long Service Payments Act 1986* and provide 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.

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

B4 Other Approvals

The following approvals are required:

- (a) **Roads Act 1993 approval** - The applicant is to submit an application to Council for any work within the road reserve (e.g. vehicular footpath crossings, utilities including stormwater, footpath paving, kerb and gutter etc) for local and regional roads or Transport for NSW for state roads, pursuant to Section 138 of the *Roads Act 1993*. Details must be provided with the Construction Certificate application.
- (b) **Section 68 of the Local Government Act 1993** – Any approvals required under Section 68, Parts A to F, including (but not limited to), any use of public property for crane operation, waste management or installation of a moveable dwelling. Applications are to be made to Council a minimum of six (6) weeks prior to the proposed activity being undertaken.

Reason: To ensure all work complies with relevant legislation.

B5 Servicing

In relation to services, the following must be undertaken by the applicant where relevant:

- (a) **Adequate services** – the applicant must demonstrate that adequate services for water, electricity and wastewater are available to the site,

Details shall be provided with the Construction Certificate application.

Reason: To ensure work is carried out having regard to existing services and for safety and efficiency.

B6 Stormwater Management

The development must not result in the diversion of overland surface waters onto adjoining properties and where necessary shall construct appropriate surface drainage systems that connect to Council's stormwater system.

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

B7 Vehicle Access and Car Parking

The following vehicle access and parking requirements must be met prior to the issue of a construction certificate:

- (a) Entry and exit points are to be clearly signposted prior to the commencement of construction works on the site and must be visible from both the street and the site at all times.

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

- (b) All driveways, 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.

B8 Dilapidation report

Prior to the issue of a Construction Certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of roads and public land, to the satisfaction of the certifier. The dilapidation report is to indicate the condition of the length of the heavy traffic route from the site entrance to the Newell Highway (i.e. the relevant sections of Burkes Road, Plumptons Road and Tongs Street). A copy of the dilapidation survey shall be submitted to Council prior to the commencement of works.

Reason: To document the condition of the local road network prior to works commencing on the site.

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 Construction Site Management Plan

Prior to the commencement of work, a Construction Management Plan is to be prepared by suitably qualified professionals and submitted to Council for approval detailing arrangements during the construction of the development. The Plan must be implemented and maintained prior to, and during, the construction works on the site until works are completed. The Construction Site Management Plan is to include, but not be limited to, the following:

(a) Construction Traffic Management Plan (TMP)

A Construction Traffic Management Plan (TMP) with all supporting documentation, including all relevant Traffic Guidance Schemes (TGS), is to be submitted to Council for approval prior to the commencement of work. The TMP must comply with the requirements of Transport for New South Wales Traffic Control at Work Sites Technical Manual (TCAWS Manual), Standards Australia's Manual of uniform traffic control devices, Part 3: Traffic control for works on roads (AS1742.3), and Austroads' Guide to Temporary Traffic Management (AGTTM).

The TMP must be prepared by a person/s with a 'Prepare a Work Zone Traffic Management Plan' qualification. Strict compliance to the TMP is to be maintained throughout the duration of the construction. All inspections of the TMP and collection of records must comply with the requirements of the TCAWS Manual.

Measures for the management of traffic during construction are to include, but not be limited to:

- (i) During construction hours, the applicant is to ensure that adequate signage is utilised to advise motorists of a 60km/hr speed limit within 200m of the intersection of Burkes Road and Plumptons Road.
- (ii) Deliveries will be scheduled to avoid trucks arriving and departing the construction site simultaneously, and to avoid peak traffic periods.
- (iii) The management of loading and unloading of construction materials on site.

(b) Waste Management Plan

This is to include (as a minimum):

- (i) identify all waste (including excavation, demolition and construction waste material) that will be generated by the development during construction, and
- (ii) identify the quantity of waste material, in tonnes and cubic metres, to be:
 - reused on-site and off-site, and
 - recycled on-site and off-site, and
 - disposed of off-site, and

- (iii) if waste material is to be disposed of, reused or recycled off-site - specify the contractor who will be transporting the material and the licensed waste management facility or recycling outlet to which the material will be taken.

(c) Sedimentation and Erosion Control Plan

The control measures are to be installed prior to the commencement of site works and maintained during works in order to ensure that site materials do not leave the site and/or enter the stormwater system and to maintain public safety/amenity.

(d) Material stockpiling/storage

- (e) Dust mitigation** measures to be implemented during dry and/or windy weather conditions.

- (f) Construction Noise and Vibration Management Plan** that shall include at minimum, the details listed at page 13 of the Construction Noise and Vibration Impact Assessment prepared by SoundIn dated August 2023. The Plan shall identify appropriate measures, which may include use of temporary acoustic fencing, to reduce noise levels at the dwellings located at 155 Lawlors Road, Finley such that the noise management levels within the *Interim Construction Noise Guideline* (DECC, 2009) are not exceeded, except to the satisfaction of Council.

- (g) complaint management** and contingency measures.

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 Land Management

Prior to any activity or construction taking place on the land, the applicant must prepare a baseline soil report indicating the land and soil capability class. A copy of this report is to be provided to the Council.

Reason: This is intended to inform performance measures and rehabilitation plans to assist in decommissioning.

PART D: DURING WORKS

D1 Construction Hours

All excavation, construction, upgrading and decommissioning works/activities shall be limited to the following hours:

- (a) Monday to Friday: 7:00am to 6:00pm;
- (b) Saturday: 8:00am to 1:00pm;
- (c) No work is to be undertaken on Sundays or Public Holidays.

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.
- (c) During construction, care must be taken to protect Council's infrastructure, including street signs, footpath, kerb, gutter and drainage pits etc.
- (d) Protection measures shall be maintained in a state of good and safe condition throughout the course of demolition.
- (e) The area fronting the site and in the vicinity of the development shall also be made safe for pedestrian and vehicular traffic at all times.

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, demolition 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, Housing and Infrastructure 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, Housing and Infrastructure.

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

While works are being carried out, the applicant must ensure that any noise generated from the site is controlled in accordance with the Construction Noise and Vibration Management Plan required under condition C4(f).

Reason: To protect the amenity of the neighbourhood.

D8 Disposal of excavated material

While construction work is being carried out, the principal certifier must be satisfied all soil removed from 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,

Reason: To ensure any soil removed from the site is appropriately disposed of.

D9 Critical Stage Inspections

Building work must be inspected on the occasions set out in clause 162A (Critical stage inspections for building work) under the *Environmental Planning and Assessment Regulation 2000*.

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 Maintenance of heavy vehicle route

From the commencement to the completion of works, the applicant is responsible for the maintenance of the following sections of the heavy vehicle route:

- (a) Plumptons Road from the intersection of Tongs Street to the intersection with Burkes Road, and

- (b) Burkes Road, from the intersection with Plumptons Street to the vehicle access point to the site.

Note: Council will inspect the heavy vehicle route on occasions and the applicant may incur a fee from Council for any damage caused to these sections of roadway by heavy vehicles accessing the site.

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 water, electricity and street lighting required as a result of the development 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) 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.

Following any construction or upgrading on site, the applicant must restore the ground cover of the site as soon as practicable, using suitable species and must maintain the ground cover during the operation of the solar farm.

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

E4 Landscaping

Prior to the issue of the Occupation Certificate all noxious weeds are to be removed and landscaping is to be planted in accordance with the approved Landscape Plan (as amended by condition B2).

Landscaping should be planted as early in the construction phase as possible in order that it has a chance to establish whilst staff are regularly on site to provide maintenance and to maximise the opportunity for vegetation growth prior to the commencement of operations.

Reason: To ensure there is adequate landscaping undertaken on the site and an adequate visual screening buffer has been established on the site.

E5 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) Any easements/covenants or restrictions required by the provision of electricity supply cables to Essential Energy's infrastructure; and
- (b) A positive covenant requiring decommissioning, rehabilitation and restoration within six (6) months following end of life of the project (i.e. 30 years from the date of the Occupation Certificate) 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. Berrigan 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.

E6 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.

E7 Post-Construction Dilapidation Report and Repair of Infrastructure

Prior to the issue of an Occupation Certificate, a suitably qualified engineer must prepare a post-construction dilapidation report which must include a photographic survey, to the satisfaction of the principal certifier, detailing whether:

- (a) any sections of road identified under condition B8 and/or public infrastructure have been damaged as a result of the carrying out of construction works (including damage caused by, but not limited to, delivery vehicles, waste

collection, contractors, sub-contractors, concreting vehicles) and if so, it is to be fully repaired to the written satisfaction of Council, and at no cost to Council.

Before the issue of an Occupation Certificate, the Principal Certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and be aware of the fact that recent maintenance upgrades have occurred to Burkes Road, and so Council officers will be carrying out periodic inspections during the construction works to ensure no unreasonable damage occurs.

Reason: To identify and repair any damage resulting from building work on the development site.

PART F: OPERATIONAL CONDITIONS

F1 Decommission Management Plan

A Decommission Management Plan must be provided to Council (or the relevant approval authority) for review and approval no later than 12 months prior to the end of the operational life of the solar farm (i.e. 30 years from the date of the Occupation Certificate) or no later than 6 months prior to the proposed cessation of operations should the solar farm cease operations in less than 30 years. The Plan shall identify the rehabilitation measures that will be implemented post development to enable the continuation of productive agriculture at a level that is at least commensurate with the pre-existing land and soil capability class. 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. The Plan must include, but not be limited to, the following:

- (a) Expected timeline for rehabilitation completion;
- (b) Removal from the site of all solar panels, above and below ground infrastructure, fencing, all footings, the internal access track and parking areas and any other structures or infrastructure relating the approved development. Only landscaping may remain;
- (c) Programme of site restoration to return the land to its previous condition prior to use as a solar farm. Restoration works are to include, but not be limited to:
 - (i) Filling with clean soil all holes in the ground resulting from the removal of footings and underground infrastructure (including cabling);
 - (ii) Laser levelling the site; and
 - (iii) Suitable revegetation of any areas of exposed earth.
- (d) Post restoration, a soil report identifying the land and soil capability class is to be undertaken and results compared to the baseline soil report prepared prior to construction. The report is to be submitted to council to demonstrate that the

condition, suitability and productivity of the land for agriculture has been sufficiently reinstated.

- (e) Following removal of the BESS and its footings, site restoration shall include a contamination report prepared by a suitably qualified person to identify whether the ground in and around the location of the BESS is contaminated. Should contamination be found, remediation is to occur to restore the soil to a condition suitable for agricultural production.
- (f) Details on waste management aimed at maximising the recycling or reuse of all materials arising from the development, and
- (g) Mitigation measures to reduce traffic, dust and noise impacts during the decommissioning phase.

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 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 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.
- (d) The maximum size truck permitted to access the site is a 19m semi-trailer.

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.

F3 Landscape Screening

The planting associated with the landscape screen as outlined on the approved Landscape Plan (and as amended by these conditions) must be maintained while the solar farm is in operation. On-going monitoring of the health and performance of the visual plant screen during the lifetime operation of the solar farm must be undertaken, including replacement of plant stock whenever necessary to ensure the screen continues to act as an effective visual buffer.

Reason: To ensure the provision of a landscape screen to reduce the visual impact of the development.

F4 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.

Reason: To protect the amenity of the surrounding area.

F5 Storage of Hazardous Materials

The applicant must store and handle all dangerous and hazardous materials on site 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.

F6 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.

F7 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.

Advisory Notes

1. Dial Before You Dig

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 Dial 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 Dial 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 Dial before you dig service in advance of any construction or planning activities.

2. Safety Advice from Essential Energy

- (a) As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 10 (Horizontal distance) from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk. 22KV HIGH VOLTAGE OVERHEAD AND 66KV HIGH VOLTAGE OVERHEAD POWER LINES.
- (b) It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a [Request for Safety Advice](#) if works cannot maintain the safe working clearances set out in the [Working Near Overhead Powerlines Code of Practice](#), or [CEOP8041 - Work Near Essential Energy's Underground Assets](#).
- (c) Information relating to developments near electrical infrastructure is available on our website [Development Applications \(essentialenergy.com.au\)](http://essentialenergy.com.au/development-applications). If the applicant believes the development complies with safe distances or would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy's website [Encroachments \(essentialenergy.com.au\)](http://essentialenergy.com.au/encroachments)

and provide supporting documentation. Applicants are advised that fees and charges will apply where Essential Energy provides this service.

- (d) The applicant's attention is drawn to Section 49 of the Electricity Supply Act 1995 (NSW). Relevantly, Essential Energy may require structures or things that could destroy, damage or interfere with electricity works, or could make those works become a potential cause of bush fire or a risk to public safety, to be modified or removed.

Essential Energy makes the following general comments:

- a) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- b) Any activities in proximity to electrical infrastructure 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;
- c) Prior to carrying out any works, a "Dial 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); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.

3. 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.

4. 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 should be installed as low intensity lighting, except where required for safety or emergency purposes.