

A. ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

1. The development shall be carried out in accordance with the approved plans and specifications as follows:

Plan/Doc No.	Plan/Doc Title	Prepared by	Issue	Date
NRM4A-G-040	Location Plan	ITP Developments Pty Ltd	01.1	13/6/19
NRM4A-G-210	General Arrangement	ITP Developments Pty Ltd	02.1	5/7/19
NRM4A-C-130	Site Elevation	ITP Developments Pty Ltd	01.1	13/6/19
NRM4A-C-430	Inverter Station Footing Detail	ITP Developments Pty Ltd	01.1	13/6/19
NRM4A-C-530	Typical Fencing Detail	ITP Developments Pty Ltd	01	13/6/19
NRM4A-C-631	Access Road Detail	ITP Developments Pty Ltd	01.1	13/6/19
NRM4A-E-341	Typical Array Detail	ITP Developments Pty Ltd	01.1	13/6/19
NRM4A-E-430	Typical Inverter Station Detail	ITP Developments Pty Ltd	01.1	13/6/19
0219	Statement of Environmental Effects	Zenith Town Planning	-	16/7/19
-	Bushfire Safety Assessment Report	South Coast Building Approvals & Inspections	Revision B	5/6/19
MAC180781-02RP1	Noise Assessment Report	Muller Acoustic Consulting Pty Ltd	-	21/5/19
219256_REO_001B.docx	Traffic Impact Assessment Report	Premise	-	5/7/19
18105488-015-Rev 0 Narromine Water Assess	Water Assessment	Golder Associates Pty Ltd	-	31/1/19

The Development Application has been determined by granting of consent subject to and as amended by the conditions of development consent specified below:

2. Development consent is granted for use of the site as an electricity generating works as defined by the Narromine Local Environmental Plan 2011 including the following works/components:

- a) Generation of no more than five (5) megawatts of power;
- b) Construction of 15,708 photovoltaic (PV) solar panels;
- c) Junction boxes and substation;
- d) Above and underground electrical conduits and cabling;
- e) Internal access driveway;
- f) A temporary car parking area for 40 vehicles;
- g) Security fencing;
- h) Landscaping; and
- i) Decommissioning of the solar energy system in the event of closure.

Limits of Approval

- 3. The consent will lapse five (5) years from the date of consent unless the works associated with the development have physically commenced.

B. PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

Construction Certificate Required

- 4. Prior to commencement of any works, it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans submitted with the Construction Certificate are to be amended to incorporate the conditions of the development consent. A Construction Certificate issued by a Private Accredited Certifier is to be deposited with Council at least 48 hours prior to the commencement of any works.

Utility Services

- 5. 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

Construction Environmental Management Plan

- 6. A Construction Environmental Management Plan (CEMP) is to be prepared and submitted for approval by Council/Accredited Certifier. The Plan must be implemented during the construction of the solar electricity system and must include the range of measures as outlined in the approved SEE which include but are not limited to:
 - a) Aboriginal Heritage Management;
 - b) Construction Traffic Management;

- c) Bushfire Management;
- d) Waste Management;
- e) Erosion and Sediment Control;
- f) Noise Management;
- g) Dust Management;
- h) Site Restoration;
- i) Operation Hours;
- j) Emergency, safety and security;
- k) Weed Management and Biosecurity; and
- l) Essential Energy comments

Construction Traffic Management Plan

7. Prior to the issue of a Construction Certificate, a Construction Traffic Management Plan is to be prepared by a suitably qualified professional. The Construction Traffic Management Plan shall be reviewed in consultation with Council as the relevant roads authority to ensure that key traffic related issues associated with the construction of the development have been addressed. The Plan shall address all light and heavy vehicle generation to the development site and detail the potential impacts associated with the construction of the development, the mitigation measures to be implemented, and procedures to monitor and ensure compliance. The Plan shall also address, but not necessarily be limited to the following:

Access

- a) A safe construction access point, a minimum of 50m from the giveway with Eumungerie Road.
- b) The construction access road is to be realigned to be perpendicular with Euromedah Road and a holding lane for entry from access to Euromedah Road to ensure appropriate site distance.
- c) A passing lane of a minimum of 3.0m along Euromedah Road past the intersection.
- d) A bitumen seal holding lane for the exit from Eumungerie Road onto Euromedah Road and entry onto Eumungerie Road from Euromedah Road.
- e) Appropriate traffic facilities must be designed at the intersection of Euromedah Road and new access intersection to ensure safe egress and ingress for road users.

- f) Road widths must show turning circles for the largest design vehicle expected to use the roadway.
- g) A minimum of 20 m to be sealed on the access road.
- h) All accesses to be designed as per Austroads Design Guide.
- i) Require that all vehicular access to the site be via the approved route using the approved construction access point.
- j) Detailed design information of road construction works must be provided and approved by Council in accordance with Austroads Guidelines and RMS QA Road works specifications for road construction and design.
- k) Submit inspection and test plans (ITPs) to Council for approval.

Road Drainage

- l) Existing pipe to be relocated to the location of the new access road.

Pipe Backfill

- m) All pipe backfill designs and construction information shall be in accordance with AS/NZ 3725:2007.

8. The Construction Traffic Management Plan shall form part of and be implemented as part of the CEMP for the site.

Section 138 Roads Act Approvals

9. Under Section 138 of the Roads Act 1993, should any work on the verge, footpath, or public road reserve be required, a Section 138 Roads Act Approval will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council. The Section 138 Roads Act Application is to be submitted to, and approved by Council prior to works commencing and is to include the provision of Works as Executed Drawings after the completion of road works.

Bushfire Management

10. Prior to the issue of a Construction Certificate, a Bushfire Protection Plan indicating compliance with the recommendations of the Bushfire Assessment prepared by South Coast Building Approvals and Inspections and submitted with the Application must be submitted to Council for approval. The Plan shall form part of and be implemented as part of the Construction Environmental Management Plan and Site Environmental Management Plan for the site.
11. A 20m Asset Protection Zone must be provided around the solar energy system (wholly within the subject property) and implemented and maintained as part of the Construction Environmental Management Plan and Site Environmental Management Plan for the site.

Landscape Plan

12. Prior to the issue of a Construction Certificate, the Applicant shall provide landscape plans for approval by Council for the establishment of vegetation screening along the full length of the western boundary of the development site. The Plan shall form part of and be implemented as part of the Construction Environmental Management Plan.
13. The landscape area is to be a minimum of 3 m wide, consisting of species endemic to the area and growing to a mature height ranging from at least 2 metres.

Monetary Contributions

14. The monetary contributions set out in the following table are to be paid to Council prior to the issue of a Construction Certificate. The contribution rate is set at the date of this consent and is levied in accordance with the Narromine Shire Council Section 94A Development Contributions Plan 2014. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment.

Contribution Type	Estimated Cost of Development	Levy Percentage	Total Contribution
Section 94A Contribution	\$6.6 million	1.0%	\$66,000

Long Service Levy

15. For work greater than \$25,000, a Long Service Levy shall be paid. The current levy rate is 0.35 % of the value of building and construction works costing \$25,000 or more (inclusive of GST). Evidence of payment is to be provided to Council or an Accredited Certifier prior to the issue of a Construction Certificate.

Contribution Type	Estimated Cost of Development	Levy Percentage	Total Contribution
Long Service Levy	\$6.6 million	0.35%	\$23,100

C. PRIOR TO COMMENCEMENT OF WORKS

Construction Certificate

16. A Construction Certificate application is required to be submitted to, and issued by Council/Accredited Certifier prior to any excavation or building works being carried out onsite.

The application MUST be one complete, concise package, addressing all the required conditions. Failure to provide the abovementioned information in one package, will likely result in the application being refused/rejected and returned to you.

Waste

17. Prior to the commencement of works, a proposed Waste Agreement is to be provided to and approved by Council, outlining the arrangements for the disposal of construction waste if it is to be disposed of at a Council owned facility.

Erosion and Sediment Control

18. Erosion and sediment controls must be in place before the disturbance of any soils on the site.

D. REQUIREMENTS DURING WORKS

Hours of Construction

19. Construction work may only be undertaken during the following hours:

DAY	HOURS
Monday to Friday	7:00am to 8:00pm
Saturday	8:00am to 1:00pm
Sunday & Public Holidays	Nil

Erosion and Sediment Control

20. The Applicant must maintain erosion and sediment controls during works and as long as necessary after completion to prevent sediment and turbid water from leaving the site and/or entering the surface water system outside of the site.

Noise Mitigation

21. Any noise generated from the operation of the development must not be intrusive or offensive as defined by the Protection of the Environment Operations Act 1997.

Dust Management

22. A water cart is required to be readily available to suppress dust during construction. During dry periods or high wind, construction works are to be delayed or postponed.

Flood Protection

23. Any electrical infrastructure including the solar panels shall be set above 1:100 ARI (average recurrent interval) flood level.

For clarity, this condition does not relate to underground power reticulation where cables are housed in conduits.

Potential Contamination

24. Any dielectric fluid used must be managed to prevent contamination. Any spillage of this fluid must be recorded and notified to Council. In the event of a major spillage, the NSW Environmental Protection Agency must also be notified in regards to a pollution event.
25. The Proponent shall store and handle all dangerous goods (as defined by the Australian Dangerous Goods Code) and combustible liquids, strictly in accordance with:
- a) All relevant Australian Standards;
 - b) A minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - c) The EPA's Environment Protection Manual Technical Bulletin Bunding and Spill Management.

In the event of an inconsistency between requirements listed from a) to c), the most stringent requirement shall prevail to the extent of the inconsistency.

Site Management

26. The area of disturbance shall be in accordance with the approved plans and comply with the following:
- a) All works associated with construction shall be confined to the approved construction area and approved access corridor.
 - b) No works are permitted outside of the construction area and the approved access corridor unless associated with rehabilitation.
 - c) All materials, stockpiles, vehicles, machinery and the like shall be confined to the approved construction area and the approved access corridor.
27. There is to be no storage of materials, stockpiling of excavated material or parking of plant / machinery within the drip line of the crown of any retained trees.

28. Re-vegetation must be applied to disturbed areas as soon as practical after completion of construction works.

Rural Fire Service Shed

29. Access from Euromedah Road to the Rural Fire Service shed at the intersection of the site access and Euromedah Road is not to be impeded at any time during the construction of the solar farm.

Lighting

30. The Applicant must:

- a) minimise the off-site lighting impacts of the development so that it no obtrusive light will be cast onto an adjoining property; and
- b) ensure that all external lighting associated with the development: complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version.

Heritage

31. During construction, the development is to proceed with caution. If any Aboriginal objects or relics are found, works should stop and the NSW Office of Environment and Heritage and the Narromine Local Aboriginal Lands Council are to be contacted. All workers on the site are to be made aware of this condition.

Waste Management

32. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an authorised Waste Landfill Depot at regular periods. The container shall be erected on the site and shall be maintained for the term of the construction to the completion of the project. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

Decommissioning

33. Demolition undertaken in the decommissioning of the site must be carried out in accordance with the provisions of AS2601-2001: The Demolition of Structures.

Workers Toilets

34. Adequate toilet facilities for workers must be provided at or in the vicinity of the development site.

Toilet facilities are to be provided at a rate of one (1) toilet for every twenty (20) persons employed at the site.

Damage to Public Assets

35. Any damage caused to footpaths, roadways, utility installations, trees and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.

E. PRIOR TO THE COMMENCEMENT OF USE

Occupation Certificate

36. The Applicant is to obtain an Occupation Certificate pursuant to Section 6.3 of the Environmental Planning and Assessment Act 1979, from the Principal Certifying Authority.

Site Environmental Management Plan

37. A Site Environmental Management Plan (SEMP) shall be submitted to Council for endorsement prior to the issue of any Occupation Certificate. The SEMP shall address, at minimum, the following issues: ^{[[1]]}_{[[2]]} [SEMP]

- a. Operation
- b. Bushfire management
- c. Noise management;
- d. Dust management;
- e. Weed and vermin management;
- f. Land management including vegetation management;
- g. Traffic Management;
- h. Flooding and debris issues; and
- i. Written notification to Council when decommissioning is to take place.

Shade Cloth

38. Prior to the issue of an Occupation Certificate, the Applicant is to install a shade cloth for the full length of the western boundary of the site.

Register of Easement

39. The Applicant shall submit to Council documentary evidence that a right of carriageway burdening Lot A DP: 376726 and Lot: 52 DP: 661453 and benefitting Lots: 41 and 46 DP: 752581 is registered on title. The right of carriageway shall be a minimum of 4 metres in width for its entire length.

Address

40. The subject property has been allocated a rural number of 6 Euromedah Road. This number shall be reflective and permanently displayed in a prominent position that is clearly visible from the public road at all times

Essential Energy

41. All relevant conditions and requirements of Essential Energy attached to this consent shall apply and shall be implemented as part of the Construction Environmental Management Plan.

F. OPERATIONAL REQUIREMENTS

Rural Fire Service Shed

42. Access from Euromedah Road to the Rural Fire Service shed at the intersection of the site access and Euromedah Road is not to be impeded at any time during the operation of the solar farm.

Condition

43. The site must be monitored and maintained to a satisfactory condition by maintenance staff for the management of grass and weeds growth, including maintenance of groundcover, and any indication of erosion.

Shade Cloth

44. The shade cloth along the western boundary fence of the solar farm shall be maintained until such time that the planted vegetation reaches a height of at least two metres. After this time, the shade cloth can be removed.

Glare

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

Access

46. Maintenance vehicles are to access the site via the new access point used during construction.

Asset Protection Zone

47. The area within and surrounding the development for a distance of 20 metres, is to be permanently maintained in accordance with the requirements of Planning for Bushfire Protection 2006 and the NSW Rural Fire Service's publication Standards for Asset Protection Zones.

Signage

48. Appropriate safety signage shall be displayed adjacent to the site entrance on Euromedah Road, advising of emergency contact details.

Upgrading of Solar Panels

49. Upgrading of solar panels and ancillary infrastructure¹⁰ Over time, the applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant shall provide revised layout plans of the development to the Council incorporating the proposed upgrades.

G. COMPLETION OF THE USE OF THE LAND/DEVELOPMENT

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

H. PRESCRIBED CONDITIONS

51. Prescribed conditions of development consent in accordance with Division 8A of the Environmental Planning and Assessment Regulation 2000 that must be fulfilled
52. Clause 98: Compliance with Building Code of Australia and insurance requirements under the Home Building Act 1989
53. Clause 98A: Erection of signs
54. Clause 98B: Notification of Home Building Act 1989 requirements
55. Clause 98C: Conditions relating to entertainment venues
56. Clause 98D: Condition relating to maximum capacity signage
57. Clause 98E: Condition relating to shoring and adequacy of adjoining property
58. Please refer to the NSW State legislation for full text of the clauses under Division 8A of the Environmental Planning and Assessment Regulation 2000. This can be accessed at <http://www.legislation.nsw.gov.au>.

I. ESSENTIAL ENERGY COMMENTS

- a) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- b) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- c) As part of the development, if required by Essential Energy, easements are to be created for any new or existing electrical infrastructure using Essential Energy's standard easement terms current at time;
- d) All new vegetation proposed to be planted should remain outside Essential Energy's easement area. If such planting will be within the easement area, provision of landscaping plans/specifications (as to the type and location of the planting) must be submitted to Essential Energy for approval prior to any works commencing;
- e) The proposed boundary security fencing must not hinder Essential Energy's access to its existing electrical infrastructure and or easement on the property. Such access is required 24 hours a day, 7 days a week.
- f) Satisfactory arrangements are to be made with Essential Energy with respect to the proposed solar farm which will form part of the development. It is the Applicant's responsibility to enter into the required Connection Agreements and any other requirement with Essential Energy for the development, which may include the payment of fees and contributions.

The Applicant should refer to Essential Energy's Network Connections team for the requirements via

networkconnections@essentialenergy.com.au.

- g) Satisfactory arrangements are to be made with Essential Energy for the provision of power with respect to the proposed development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees and contributions. The Applicant should refer to Essential Energy's Contestable Works team for requirements via contestableworks@essentialenergy.com.au.
- h) In addition, Essential Energy's records indicate there is electricity infrastructure located within 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.
<https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements.pdf>

- i) 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.

J. GENERAL ADVICE

LAPSING OF DEVELOPMENT CONSENT

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

RIGHT OF APPEAL

If you are the applicant:

You can appeal against this decision in the Land and Environment Court within six (6) months of the date of this notice (section 8.7 of the *Environmental Planning and Assessment Act, 1979*).

REVIEW OF DETERMINATION

An applicant may request the Council to review this determination within six (6) months after the date the applicant received this notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination.

If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision.

A Review cannot be requested for:

- a determination to issue or refuse to issue a complying development certificate, or
- a determination in respect of designated development, or
- a determination made by Council under Section Division 4.6 in respect of an application by the Crown.

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.

K. REASONS FOR CONDITIONS

The conditions have been imposed to ensure the proposed development:

1. Achieves the objectives of the Environmental Planning and Assessment Act, 1979;
2. Complies with the provisions of all relevant environmental planning instruments;
3. Is consistent with the aims and objectives of Council's Development Control Plans, Codes and Policies.
3. Meets the increased demand for public amenities and services attributable to the development in accordance with Section 7.12 of the *Environmental Planning and Assessment Act, 1979*.
4. Does not impact the protection of the amenity and character of land adjoining and in the locality of the proposed development.
5. Minimises any potential adverse environmental, social or economic impacts of the proposed development.
6. Addresses all traffic, carparking and access requirements.