

# Project Approval

## Section 75J of the *Environmental Planning & Assessment Act 1979*

I approve the project application referred to in schedule 1, subject to the conditions in schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Brad Hazzard  
**Minister for Planning & Infrastructure**

Sydney

2011

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### SCHEDULE 1

**Application No.:**

MP 10\_0175

**Proponent:**

Moree Solar Farm Pty Ltd

**Approval Authority:**

Minister for Planning and Infrastructure

**Land:**

Lot 4DP 751791

**Project:**

Moree Solar Farm (BP Solar Site 3 Southern), including:

- 56 megawatt photovoltaic electricity generation facility;
- both above and underground electrical conduits and cabling connecting arrays and inverters;
- sets of inverters and transformers distributed around the site;
- on-site substation which will step the system voltage up from 22kv to 132kv in order to connect to the Moree Zone Substation;
- site administration and operations building;
- 66kv transmission line connecting the site to the 132kv Moree Zone substation;
- internal and perimeter access tracks, perimeter fencing and landscaping; and
- site services, reticulated potable water and a 200kl above-ground water holding tank.

**Critical Infrastructure:**

The project is classified as critical infrastructure in accordance with section 75C of the Environmental Planning and Assessment Act 1979, by virtue of the then Minister's declaration of 11 November 2009 relating to renewable energy projects including the Moree Solar Farm Project (MP10\_0175), being development for the purpose of solar energy, which is the subject of a project application lodged pursuant to section 75E or 75M of the Environmental Planning and Assessment Act 1979.

Red type represents MOD 1 – February 2014.

Blue type represents MOD 2 – November 2016.

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## DEFINITIONS

<b>Building Work</b>	Any physical activity involved in the erection of a building
<b>Conditions of Approval</b>	The Minister's conditions of approval for the project
<b>Construction</b>	All pre-operation activities associated with the project other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys or other activities determined by the Environmental Representative to have minimal environmental impact such as minor access roads, commissioning activities, minor adjustments to services / utilities, establishing temporary construction sites, or minor clearing (except where threatened species, populations or ecological communities would be affected)
<b>Council</b>	Moree Plains Shire Council
<b>Decommissioned</b>	The date the formal decision is made by the Proponent that the project is no longer operating for its approved purpose
<b>Department</b>	Department of Planning and Environment
<b>DPI – Water</b>	The Division of Water within the Department of Primary Industries
<b>DRE</b>	Division of Resources and Energy within the Department of Industry
<b>Dust</b>	Any solid material that may become suspended in air or deposited
<b>EA</b>	The Environmental Assessment titled 'Moree Solar farm Environmental Assessment' prepared by BP Solar, Walsh Consulting and Fotowatio Renewable Ventures, dated 1 February 2011, and associated response to submissions, as modified by: (a) Modification Application 10_0175 MOD 1 and supporting document titled 'Specialist Report Summary of Amended Project, Proposed Moree Solar Farm', prepared by OzArk Environmental & Heritage Management Pty Ltd, dated November 2013, and associated response to submissions; and (b) Modification Application 10_0175 MOD 2, letter from Moree Solar Farm Pty Ltd and supporting document titled 'Certification Analysis Report: Moree Solar Farm Development', prepared by Procert Group Pty Ltd, dated 31 October 2016
<b>EEC</b>	Endangered Ecological Community
<b>EPA</b>	Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>Minister</b>	Minister for Planning, or delegate
<b>Modification 2 Determination Date</b>	29 November 2016
<b>Operation</b>	Any activity which results in the production of electricity for contribution to the electricity grid, but does not include commissioning
<b>OEH</b>	Office of Environment and Heritage
<b>PV</b>	Photovoltaic
<b>Reasonable and feasible</b>	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. <b>Feasible</b> relates to engineering considerations and what is practical to build. <b>Reasonable</b> relates to the application of judgement in arriving at a decision, taking into account mitigation benefits and cost of mitigation versus benefits provided, community views and nature and extent of potential improvements
<b>Registered Aboriginal Stakeholders</b>	Aboriginal stakeholders identified as registered stakeholders in the EA
<b>RFS</b>	Rural Fire Service
<b>RMS</b>	Roads and Maritime Services
<b>Secretary</b>	Secretary of the Department, or nominee and/or delegate or nominee

**Sensitive Receiver  
Site**

Any non associated residential dwelling  
Land to which Major Projects Application 10\_0175 applies

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## SCHEDULE 2

### PART A - ADMINISTRATIVE CONDITIONS

#### Terms of Approval

- A1. The Proponent shall carry out the project:
- (a) in general accordance with the EA; and
  - (b) in accordance with the conditions of this approval.
- A2. If there is any inconsistency between the documents referred to in condition A1 above, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this approval must prevail to the extent of any inconsistency.
- A3. The Proponent shall comply with any reasonable requirement(s) of the Secretary arising from the Department's assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.
- A4. For the purpose of section 75S(2)(b) of the EP&A Act, the *relevant provisions*, as defined in section 75S(1A) of the EP&A Act, apply to this approval, **but only in relation to building work commenced after the Modification 2 Determination Date.**

For any building work undertaken prior to the Modification 2 Determination Date that does not already have a construction certificate and occupation certificate, the proponent shall obtain a building certificate from Council pursuant to section 149A of the EP&A Act within 3 months of the Modification 2 Determination Date, unless the Secretary agrees otherwise.

#### Limits of Approval

- A5. This project approval shall lapse five years after the date on which it is granted, unless the works subject of this approval have been commenced before that time.

#### Statutory Requirements

- A6. The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.
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## **PART B – GENERAL CONDITIONS**

### **BUSHFIRE RISK**

- B1. The Proponent shall ensure that all project components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant RFS design guidelines (*Planning for Bushfire Protection 2006 and Standards for Asset Protection Undated*) and provide for necessary emergency management including appropriate fire-fighting equipment and water supplies on site to respond to a bush fire.
- B2. The proposal is to comply with the recommendations in section 10 of the Bushfire Hazard Assessment Report, prepared by Building Code and Bushfire Solutions Pty Limited, dated 18 November 2010, or as otherwise agreed in writing with the RFS.
- B3. Throughout the operational life of the project, the Proponent shall regularly consult with the local RFS to ensure its familiarity with the project, including the construction timetable and the final location of all infrastructure on the site. The Proponent shall comply with any reasonable request of the local RFS to reduce the risk of bushfire and to enable fast access in emergencies.

### **DUST GENERATION**

- B4. The Proponent shall construct and operate the project in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All project related activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should visible dust emissions attributable to the project occur during operation and construction, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.

### **WATER QUALITY IMPACTS**

- B5. Except as may be expressly provided by an Environment Protection Licence for the project, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.

### **WASTE GENERATION AND MANAGEMENT**

- B6. The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.
- B7. The Proponent shall maximise the reuse and/or recycling of waste materials generated on site, to minimise the need for treatment or disposal of those materials outside the site.
- B8. The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with *Waste Classification Guidelines (DECC, 2008)*, or any future guideline that may supersede that document and where removed from the site is only directed to a waste management facility lawfully permitted to accept the materials.
- B9. The Proponent shall ensure that no green waste is burnt on site during the life of the project.

## **BUNDING AND SPILL MANAGEMENT**

B10. 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 *Bundling and Spill Management*.

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

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## PART C – PRIOR TO CONSTRUCTION

### TRAFFIC AND TRANSPORT IMPACTS

- C1. Prior to the commencement of construction of the project, the Proponent shall commission a suitably qualified expert to assess the condition of all Council controlled public roads proposed to be traversed by construction traffic associated with the project (including over-mass or over-dimensional vehicles) in consultation with Council.
- C2. Prior to commencement of construction of the project, in consultation with Council and the RTA, the Proponent shall identify any upgrade requirements to accommodate project traffic for the duration of construction (including culvert, bridge and drainage design; intersection treatments; vehicle turning requirements and site access) considering final traffic volumes and works identified within the report by Transport and Traffic Planning Associates titled “BP Solar Proposed Solar Power Station Moree Assessment of Traffic and Transport Implications” dated December 2010.

The results of C1 and C2 shall be contained within a road dilapidation and upgrade report, and shall be submitted to the [Secretary](#) prior to the commencement of construction clearly identifying recommendations made by the Council and the [RMS](#) and how these have been addressed. The Proponent shall ensure that all upgrade measures identified in the report are implemented to the satisfaction of Council and the RTA, prior to the commencement of construction.

### OPERATIONAL NOISE IMPACTS

- C3. Following the final project design and prior to the commencement of construction the Proponent shall submit for approval of the [Secretary](#) an operational noise prediction report to demonstrate that the proposed design and layout of the project and any proposed noise management or mitigation measures will ensure that noise levels at nearby sensitive receivers are within the noise and vibration criteria derived by application of the NSW Industrial Noise Policy (DECC, 2000) and Assessing Vibration: A Technical Guideline (DECC, 2006).

### FLORA AND FAUNA

#### Native Vegetation Impacts

- C4. The clearing of all native vegetation is to be limited to the minimal extent practicably required. Details regarding the procedures for clearing vegetation and minimising the extent of clearing shall be clearly included in the Flora and Fauna Management Plan contained in condition C15(a).

#### Biodiversity Offset Strategy

- C5. **The proponent is to consult with the OEH to determine whether a biodiversity offset strategy and package is required. If it is determined that a biodiversity offset strategy is required, then the Proponent shall prepare a biodiversity offset strategy following final design, in consultation with OEH and the landholder, to the satisfaction of the [Secretary](#), to guide the development of the offset package required in condition E1. The offset strategy is to be prepared by an ecologist and submitted for approval prior to the commencement of construction and should include:**
- (a) consideration of all native vegetation losses and the adequacy of the proposed offset;
  - (b) demonstration of how the offset will aim to achieve ‘improve or maintain’ biodiversity values;
  - (c) an offset proposal which is supported by a suitable metric (such as the Biobanking Assessment Methodology);
  - (d) connectivity in its design;
  - (e) details of the relative condition and values of communities on the offset site in comparison to those to be impacted;
  - (f) proposed management actions and expected gains;

- (g) demonstration of how the strategy was prepared in accordance with OEH's Principles for the Use of Biodiversity Offsets in NSW; and
- (h) measures to ensure in-perpetuity the conservation commitment.

## **COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

C6. Subject to reasonable confidentiality requirements, the Proponent shall make all documents required under this approval available for public inspection on request.

### **Provision of Electronic Information**

C7. Prior to the commencement of construction, the Proponent shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the project. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:

- (a) the status of the project;
- (b) a copy of this approval and any future modification to this approval;
- (c) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the project;
- (d) a copy of each plan, report, or monitoring program required by this approval; and
- (e) details of the outcomes of compliance reviews and audits of the project.

### **Community Information Plan**

C8. Prior to the commencement of construction, the Proponent shall prepare and implement a Community Information Plan which sets out the community communication and consultation processes to be implemented during construction and operation of the project. The Plan shall include but not be limited to:

- (a) procedures to inform the local community of planned investigations and construction activities, including blasting works (if any);
- (b) procedures to inform the relevant community of construction traffic routes and any potential disruptions to traffic flows and amenity impacts;
- (c) procedures to consult with local landowners with regard to construction traffic to ensure the safety of livestock and to limit disruption to livestock movements;
- (d) procedures to inform the community where work outside the construction hours specified in condition D5, in particular noisy activities, has been approved; and
- (e) procedures to inform and consult with affected landowners to rehabilitate impacted land.

### **Complaints Procedure**

C9. Prior to the commencement of construction, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation) or as otherwise agreed by the [Secretary](#):

- (a) a 24 hour telephone number on which complaints about construction and operational activities at the site may be registered;
- (b) a postal address to which written complaints may be sent; and
- (c) an email address to which electronic complaints may be transmitted.

The telephone number, postal address and email address shall be advertised in a newspaper circulating in the area on at least one occasion prior to the commencement of construction; and at six-monthly intervals during construction and for a period of two years following commencement of operation of the project. These details shall also be provided on the Proponent's internet site required by condition C7. The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the construction site(s), in a position that is clearly visible to the public.

C10. The Proponent shall record details of all complaints received through the means listed in condition C9 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:

- (a) the date and time, of the complaint;

- (b) the means by which the complaint was made (telephone, mail or email);
- (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) any action(s) taken by the Proponent in relation to the complaint, including timeframes for implementing the action; and
- (f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the [Secretary](#) upon request.

C11. The Proponent shall provide an initial response to any complaints made in relation to the project during construction or operation within 48 hours of the complaint being made. The response and any subsequent action taken shall be recorded in accordance with condition C10. Any subsequent detailed response or action is to be provided within two weeks.

### **COMPLIANCE TRACKING PROGRAM**

C12. Prior to the commencement of construction, the Proponent shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this approval during the construction and operation of the project and shall include, but not necessarily be limited to:

- (a) provisions for periodic reporting of compliance status to the [Secretary](#) including at least prior to the commencement of construction of the project, prior to the commencement of operation of the project and within two years of operation commencement;
- (b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- (c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;
- (d) mechanisms for recording environmental incidents and actions taken in response to those incidents;
- (e) provisions for reporting environmental incidents to the [Secretary](#) during construction and operation; and
- (f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.

### **ENVIRONMENTAL MANAGEMENT**

#### **Environmental Representative**

C13. Prior to the commencement of any construction or operational activities, the Proponent shall nominate for the approval of the [Secretary](#) a suitably qualified and experienced Environmental Representative(s) independent of the design, construction and operation personnel. The Proponent shall engage the Environmental Representative(s) prior to construction until at least 6 months after commencement of operation, or as otherwise agreed by the [Secretary](#). The Environmental Representative(s) shall:

- (a) monitor the implementation of all environmental management plans and monitoring programs required under this approval;
- (b) monitor the outcome of all environmental management plans and advise the Proponent upon the achievement of all project environmental outcomes;
- (c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project;
- (d) ensure that environmental auditing is undertaken in accordance with the requirements of Condition C12 and the project Environmental Management System(s);

- (e) be consulted in responding to the community concerning the environmental performance of the project; and
- (f) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur, until reasonable steps are implemented to avoid such impact.

### **Construction Environmental Management Plan**

C14. The Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be prepared in consultation with Council and be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004 or its latest revision) and shall include, but not necessarily be limited to:

- (a) a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;
- (b) identification of the potential for cumulative impacts with other construction activities occurring in the vicinity and how such impacts would be managed;
- (c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;
- (d) statutory and other obligations that the Proponent is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- (e) evidence of consultation with relevant public authorities required under this condition and how issues raised by the agencies have been addressed in the plan;
- (f) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
- (g) details of how the environmental performance of construction will be monitored, and what actions will be taken to address identified potential adverse environmental impacts;
- (h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions **Error! Reference source not found.** and **Error! Reference source not found.** of this approval;
- (i) the additional requirements of this approval;
- (j) a complaints handling procedure during construction;
- (k) maps or plans clearly indicating where the project area has been reduced to minimise impacts to EEC and native pasture in good condition; and
- (l) a matrix of construction work method statements (or similar) to be prepared and the anticipated level of risk associated with each determined.
- (m) measures to monitor and manage soil and water impacts in consultation with **DPI – Water** and **DRE** (Fisheries) including: control measures for works close to or involving waterway crossings (including rehabilitation measures following disturbance and monitoring measures and completion criteria to determine rehabilitation success), identification of construction activities that are likely to pose a risk of groundwater interference, and procedures for managing groundwater impacts should they occur (including to groundwater dependent species and to registered groundwater users);
- (n) a flood management plan for the project area including a flood model for predicted water levels and shall include contingency measures for the site during potential floods, inclusive of measures for the removal of debris around the

perimeter of the site to avoid alterations to floodpaths occurring as a result of debris build up;

- (o) measures to monitor and manage dust emissions including dust generated by traffic on unsealed public roads and unsealed internal access tracks; and
- (p) emergency management measures including measures to control bushfires.

The Construction Environmental Management Plan shall be submitted for the approval of the [Secretary](#) no later than one month prior to the commencement of any relevant construction works associated with the project, or within such period otherwise agreed by the [Secretary](#). Construction works shall not commence until written approval has been received from the [Secretary](#).

C15. As part of the Construction Environmental Management Plan required under condition C14 of this approval, the Proponent shall prepare and implement the following:

- (a) a **Flora and Fauna Management Plan**, developed in consultation with OEH, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the project. The Plan shall include, but not necessarily be limited to:
  - (i) consideration of the recommendations in the Terrestrial Ecology Assessment undertaken by Ozark Environmental and Heritage Management titled "Proposed BP Solar Power Station in Moree" dated November 2010,
  - (ii) plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations of EECs and native pastures; and areas to be cleared. The plans shall also identify vegetation adjoining the site where this contains important habitat areas and/or threatened species, populations or ecological communities;
  - (iii) methods to manage impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the project, such as location of fencing, procedures for vegetation clearing or soil removal/stockpiling and procedures for re-locating hollows or installing nesting boxes and managing weeds;
  - (iv) procedures to accurately determine the total area, type and condition of vegetation communities to be cleared;
  - (v) reference to the Ground Cover Management Plan required in condition C15(b); and
  - (vi) a procedure to review management methods where they are found to be ineffective.
- (b) a **Ground Cover Management Plan**, developed in consultation with OEH and an agronomist, ecologist or environmental specialist with suitable experience to outline measures to ensure adequate vegetation cover and composition beneath the solar PV array. The Plan shall include, but not necessarily be limited to:
  - (i) procedures to minimise disturbance to ground cover not impacted by the project particularly in the area of the native pasture in good condition;
  - (ii) procedures for the stabilisation, rehabilitation and revegetation of disturbed ground cover including reference to field trials where required;
  - (iii) weed management measures to control and prevent the spread of noxious weeds;
  - (iv) monitoring methods to assess the impact of the project on the ground cover vegetation; and
  - (v) a procedure to review management methods where they are found to be ineffective.
- (c) a **Landscape Plan** for the approval of the [Secretary](#). In preparing the Plan, the Proponent shall consult with Council. The Plan shall include the building design and landscaping measures to enhance the design of, and minimise, mitigate and/or offset the impacts of the project in relation to visual amenity and heritage values. The Plan shall include, but not necessarily be limited to:
  - (i) identification of landscaping objectives and standards based on visual impacts and local environmental values;

- (ii) details of species used to enhance, mitigate and/or augment landscaping to minimise the visual impact of the project, particularly with respect to the impacts on nearby residences identified as moderate or moderate to high within the “landscape and visual impact assessment” prepared by Green Bean Design dated December 2010;
  - (iii) implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas;
  - (iv) a consultation strategy to seek feedback from affected residents and the interested community on the proposed landscape measures.
- (d) a **Construction Noise Management Plan** to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures. The Plan shall include, but not necessarily be limited to:
- (i) details of construction activities and an indicative schedule for construction works;
  - (ii) identification of construction activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;
  - (iii) detail the requirements for Noise Impact Statement(s) for discrete work areas, including construction site compounds;
  - (iv) detail what reasonable and feasible actions and measures would be implemented to minimise noise impacts, inclusive of any recommendations in the “operational and construction noise and vibration assessment Solar Power Farm Moree” prepared by Atkins Acoustics and Associates Pty Ltd dated November 2010;
  - (v) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise amenity, as well as procedures for dealing with and responding to noise complaints;
  - (vi) an out-of-hours work (OOHW) protocol for the assessment, management and approval of works outside of standard construction hours as defined in condition D5 of this approval, including a risk assessment process under which an Environmental Representative may approve out-of-hour construction activities deemed to be of low environmental risk and refer high risk works for the [Secretary](#)’s approval. The OOHW protocol shall detail standard assessment, mitigation and notification requirements for high and low risk out-of-hour works, and detail a standard protocol for referring applications to the [Secretary](#); and
  - (vii) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, the locations where monitoring would take place, how the results of this monitoring would be recorded and reported; and, if any exceedance is detected how any non-compliance would be rectified.
- (e) a **Traffic Management Plan** to manage traffic conflicts that may be generated during construction. The Plan shall address the requirements of the relevant road authority and shall include, but not necessarily be limited to:
- (i) details of how construction of the project will be managed in proximity to local and regional roads;
  - (ii) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads;
  - (iii) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with;
  - (iv) details of measures to minimise interactions between the project and other users of the roads such as the use of fencing, lights, barriers, traffic diversions etc;
  - (v) procedures for informing the public where any road access will be restricted as a result of the project;
  - (vi) procedures to manage construction traffic to ensure the safety of livestock and to minimise disruption to livestock;

- (vii) speed limits to be observed along routes to and from the site and within the site; and
  - (viii) details of the expected behavioural requirements for vehicle drivers travelling to and from the site and within the site.
- (f) an **Aboriginal Heritage Plan** to monitor and manage Aboriginal heritage shall be developed in consultation with the OEH and registered Aboriginal stakeholders, and include the following:
- (i) details of further archaeological investigations and/or salvage measures to be carried out prior to construction;
  - (ii) procedures for the management of identified objects within the project area;
  - (iii) procedures for dealing with unidentified objects and/or human remains consistent with condition D3;
  - (iv) Aboriginal cultural heritage induction processes for construction personnel; and
  - (v) procedures for ongoing Aboriginal consultation and involvement.

### **Railway Corridor**

- C16. Prior to any construction within the railway corridor, approval is to be obtained from the Australian Rail Track Corporation for any works to be undertaken within the railway corridor, in particular the tunnelling of any cables beneath the existing railway line or the construction of any electricity transmission line passing over the existing railway line.
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## PART D – DURING CONSTRUCTION

### SOIL AND WATER QUALITY IMPACTS

- D1. Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities, in accordance with:
- (a) Managing Urban Stormwater: Soils and Conservation (Landcom, 2004);
  - (b) Managing Stormwater: Urban Soils and Construction 2A Installation of Services (DECC 2008); and
  - (c) Managing Stormwater: Urban Soils and Construction Vol 2C Unsealed Roads (DECC 2008).

### HERITAGE

- D2. If during the course of construction the Proponent becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the NSW Heritage Act 1977. Relevant works shall not recommence until written authorisation from the Director-General of OEH advising otherwise is received by the Proponent.
- D3. If during the course of construction the Proponent becomes aware of any previously unidentified significant Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works shall not recommence until written authorisation from the Director-General of OEH advising otherwise is received by the Proponent.

### HOURS OF WORK AND NOISE IMPACTS

#### Construction Noise

- D4. The Proponent shall implement all reasonable and feasible measures to minimise noise generation from the construction of the project consistent with the requirements of the *Interim Construction Noise Guideline (DECC, July 2009)* and recommendations in the “operational and construction noise and vibration assessment Solar Power Farm Moree” by Atkins Acoustics and Associates Pty Ltd dated November 2010, including noise generated by heavy vehicle haulage and other construction traffic associated with the project.
- D5. The Proponent shall only undertake construction activities associated with the project that would generate an audible noise at any sensitive receptor during the following hours:
- (a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
  - (b) 8:00 am to 1:00 pm on Saturdays; and
  - (c) at no time on Sundays or public holidays.
- This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent environmental harm or risk to life.
- D6. Construction outside of these hours specified in condition D5 may be varied for works as approved through the out-of-hours work protocol outlined in condition C15(d)(vi) of this approval. Any request to alter the hours of construction shall be:
- (a) considered on a case-by-case basis;
  - (b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours and any other information necessary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site; and

- (c) require that affected residential receivers are informed of the timing and duration of any construction activities approved under this condition at least 48 hours before that work commences.

**Work generating high noise impact**

D7. Any work generating high noise that has impulsive, intermittent, low frequency or tonal characteristics, including jack hammering, line drilling, pile driving, rock hammering, rock breaking, saw cutting, sheet piling, vibratory rolling but excluding blasting, must only be undertaken:

- (a) between the hours of 8:00am and 6:00pm Monday to Friday;
- (b) between the hours of 8:00am and 1:00pm Saturday; and
- (c) in continuous blocks of no more than three hours, with at least a one hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers;

except as otherwise approved by the [Secretary](#). For the purposes of this Condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this Condition.

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## PART E – PRIOR TO OPERATIONS

### BIODIVERSITY OFFSET PACKAGE

- E1. If it is determined that a biodiversity offset package is required under condition C5, details of the package shall be submitted for the approval of the [Secretary](#) prior to the commencement of operation or as agreed by the [Secretary](#). The package shall:
- (a) describe how the offset shall be guaranteed and monitored in perpetuity;
  - (b) ensure all cleared vegetation communities and native pastures are represented. Where this cannot be achieved demonstrate how an equivalent offset has been developed;
  - (c) demonstrate how the offset ratio determined improves or maintains biodiversity values; and
  - (d) include requirements for a post construction review to confirm the extent of clearing was commensurate with and not greater than that predicted. If clearing is greater, then the package shall demonstrate how the offset was modified and increased to the value of the actual biodiversity loss.

### TRAFFIC AND TRANSPORT IMPACTS

- E2. Prior to the commencement of operation of the project, but after completion of substantial works, the Proponent shall commission a suitably qualified expert to assess the condition of all Council controlled public roads traversed by construction traffic associated with the project (including over-mass or over-dimensional vehicles) in consultation with Council. Should the pre-operational dilapidation survey report identify any damage to roads attributable to construction traffic associated with the project, the Proponent shall repair the roads consistent with the recommendations of the pre-operational dilapidation survey report, within such time as agreed to with the Council. The pre-operation road dilapidation report shall be submitted to the [Secretary](#) prior to the commencement of operation, clearly identifying recommendations made by the Council and how these have been addressed.

### OPERATION ENVIRONMENTAL MANAGEMENT PLAN

- E3. The Proponent shall prepare and implement an Operation Environmental Management Plan in accordance with the Guideline for the Preparation of Environmental Management Plans (DIPNR, 2004) or its latest revision. The Plan is to be prepared in consultation with Council, as relevant. The Plan shall include but not necessarily be limited to:
- (a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to the operation of the development, including all consents, licences, approvals and consultations;
  - (b) a management organisational chart identifying the roles and responsibilities for all relevant employees involved in the operation of the project;
  - (c) overall environmental policies to be applied to the operation of the project;
  - (d) standards and performance measures to be applied to the project, and means by which environmental performance can be periodically monitored, reviewed and improved (where appropriate), and what actions would be taken in the case that non-compliance with the requirements of this approval are identified. In particular the following environmental performance issues shall be addressed:
    - (i) bushfire hazard and risk management;
    - (ii) management and maintenance of offsets;
    - (iii) inspection, monitoring and maintenance requirements;
    - (iv) management of vegetation, soil erosion, weed control; and
    - (v) flood management.
  - (e) the environmental monitoring requirements outlined under this approval;
  - (f) complaints handling procedures as identified in conditions C9 to C11;

- (g) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions **Error! Reference source not found.** and **Error! Reference source not found.** of this approval; and
- (h) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval.

The Plan shall be submitted for the approval of the [Secretary](#) no later than one month prior to the commencement of Operation of the project or within such period as otherwise agreed by the [Secretary](#). Operation shall not commence until written approval has been received from the [Secretary](#). Upon receipt of the [Secretary's](#) approval, the Proponent shall make the Plan publicly available as soon as practicable.

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## PART F – DURING OPERATION

### NOISE

- F1. The Proponent shall take all reasonable measures to minimise noise emissions and vibration from all plant and equipment operated on the site such that they do not exceed noise and vibration criteria derived by application of the NSW Industrial Noise Policy (DECC, 2000) and Assessing Vibration: A Technical Guideline (DECC, 2006).

### Maintenance

- F2. The Proponent shall only undertake maintenance works associated with the project that would generate an audible noise at any sensitive receptor, during the hours stipulated for construction activities in condition D5.

### VISUAL AMENITY

#### Landscaping Requirements

- F3. Within six months of the commissioning of the project, the Proponent shall prepare and submit a Visual Impact Verification Report for the [Secretary](#)'s approval. Unless otherwise agreed to by the [Secretary](#), the Visual Impact Verification Report shall:
- (a) confirm the visual impacts at each of the receptors and roadways identified in the [EA](#) as having the potential to be 'moderate and moderate to highly impacted', considering the final model and layout of generating components on site as well as site specific mitigating factors at the receptors and roadways (such as receptor orientation, intervening screening factors and design of permanent buildings to minimise visual intrusion including appropriate external finishes).
  - (b) identify all reasonable and feasible screening and landscape planting options available at each receptor and roadways at which potential impacts have been verified to be 'moderate and moderate to high' including demonstration that these measures have been determined in consultation with affected receptors and relevant road authorities.
- F4. Within 18 months of the approval of the Visual Impact Verification Report by the [Secretary](#) (or as otherwise agreed to by the [Secretary](#)), the Proponent shall ensure that the measures identified in the Report are implemented at affected receptors and roadways as identified in the Report in consultation with relevant landowners and road authorities.

### Rehabilitation and Revegetation

- F5. The Proponent shall implement a revegetation and rehabilitation program for all areas of the development footprint which are disturbed during the construction of the project but, which are not required for the ongoing operation of the project including temporary construction facility sites and sections of construction access roads. The Proponent shall ensure that all revegetation measures are implemented progressively where possible and in all cases within six months of the cessation of construction activities at the relevant area. Unless otherwise agreed to by the [Secretary](#), the Proponent shall monitor and maintain the health of all revegetated areas until such time that the plantings have been verified by an independent and suitably qualified expert (whose appointment has been agreed to by the [Secretary](#)) as being well established, in good health and self sustaining.
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## PART G – DECOMMISSIONING / POST OPERATIONS

### DECOMMISSIONING

- G1. Within 18 months of the site being decommissioned, the site shall be returned, as far as practicable, to its condition prior to the commencement of construction in consultation with relevant landowners. All solar panels and associated above ground structures including but not necessarily limited to, the substation, the control and facilities building and electrical infrastructure, including underground infrastructure to a depth of 300 millimetres, shall be removed from the site unless otherwise agreed by the [Secretary](#), 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 [Secretary](#).
- G2. If the solar farm is not used for the generation of electricity for a continuous period of 12 months, it shall be considered decommissioned by the Proponent, and the site shall be returned as far as practical, to its condition prior to the commencement in accordance with condition A7, unless otherwise agreed by the [Secretary](#). The Proponent shall keep independently-verified annual records of the use of the solar panels for electricity generation. Copies of these records shall be provided to the [Secretary](#) upon request.

### Decommissioning Management Plan

- G3. No later than one month prior to the decommissioning of the project, or as otherwise agreed by the [Secretary](#), the Proponent is to prepare a Decommissioning Management Plan for the approval of the [Secretary](#). The Plan is to include but not necessarily limited to:
- (a) identification of structures to be removed and how they will be removed;
  - (b) measures to reduce impacts on the environment and surrounding sensitive land uses;
  - (c) details of components to be recycled;
  - (d) details of rehabilitation and revegetation with reference to the biodiversity offset required under condition E1.
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