

3 July 2020

Team Leader - Compliance
NSW Department of Planning Industry and Environment
4 Parramatta Square, 12 Darcy Street,
Parramatta NSW 2150



natasha.homsey@planning.nsw.gov.au
compliance@planning.nsw.gov.au

Dear Natasha,

RE: SUNTOP SOLAR FARM SSD 8696 – COA 5A. PRECONSTRUCTION COMPLIANCE REPORT

This letter has been prepared by NGH in conjunction with Bouygues Construction Australia (BYCA) and Canadian Solar Pty Ltd. Suntop Solar Farm is located at the intersection of Bennetts Road and Suntop Road, Wellington NSW (Appendix A). Suntop Solar Farm will occupy lots 1, 2, and 3 DP 506925, lot 122 DP753238 and lot 90 DP 657805. This letter summarises the compliance status of Suntop Solar Farm prior to construction in accordance with the *Compliance Reporting Post Approval Requirements (DPIE May 2020)*. Suntop Solar Farm (Mod1) Condition of Approval (CoA) 5a. states:

Prior to commencing the construction, upgrading and decommissioning of the development, the Applicant must submit a compliance report to the Department in accordance with the relevant Compliance Reporting Post Approval Requirements (DPE 2018), or its latest version.

BCA and Suntop Solar Farm Pty Ltd are developing the detailed design for the solar farm and have prepared the Environmental Management Strategy and a range of environmental management plans as required by the consent. In addition, the accesses to the site via an intersection upgrade of Suntop Road and Renshaw McGirr Way have been largely completed. No other works have occurred on site at this stage that are known to the author.

Key contacts for compliance management of Suntop Solar Farm include for Bouygues Fabrice Geoffroy (F.GEOFFROY@bouygues-construction.com) and for Canadian Solar Josh Currah (josh.currah@canadiansolar.com) and Nathan Hewitt (Nathan.Hewitt@canadiansolar.com).

1. Previous Report action

Nil.

2. Compliance status summary

The preconstruction compliance requirements in the consent have generally been achieved. A Compliance Tracking Program (CTP) has been prepared for the project (Appendix B).

There have been **Nil** non-compliances with the conditions of consent during the preconstruction stage of the project. There have been Nil formal enforcement action taken by regulators.

Three Non-Compliances are outstanding for the commencement of construction. At the time of writing this report. Those Non-Compliances include:



WAGGA WAGGA

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ABN 31 124 444 622 ACN 124 444 622

CoA 8 Notification. No evidence is available to the author that written notification had been provided to DPIE, *notifying* of the intended commencement of construction in mid July 2020.

CoA 6 Construction of site access prior to the commencement of construction. The author visited the site on the morning of 2 July 2020 and observed that the western access from Suntop Road to the site was partly constructed and that road construction equipment was present at the access. The eastern access had not commenced construction. Awais Imitiaz of BYCA provided verbal advice that the accesses would be completed prior to the commencement of construction. Given the scale of the works, the time frame appears realistic, weather permitting.

CoA 12 The retirement of biodiversity credits prior to the commencement of construction. No evidence has been provided to the author that the biodiversity credits had been retired or that an alternative time frame for credit retirement had been made.

3. Incidents

There have been **Nil** incidents during the preconstruction period of the project.

4. Complaints

There have been **Nil** complaints received by during the preconstruction period of the project.

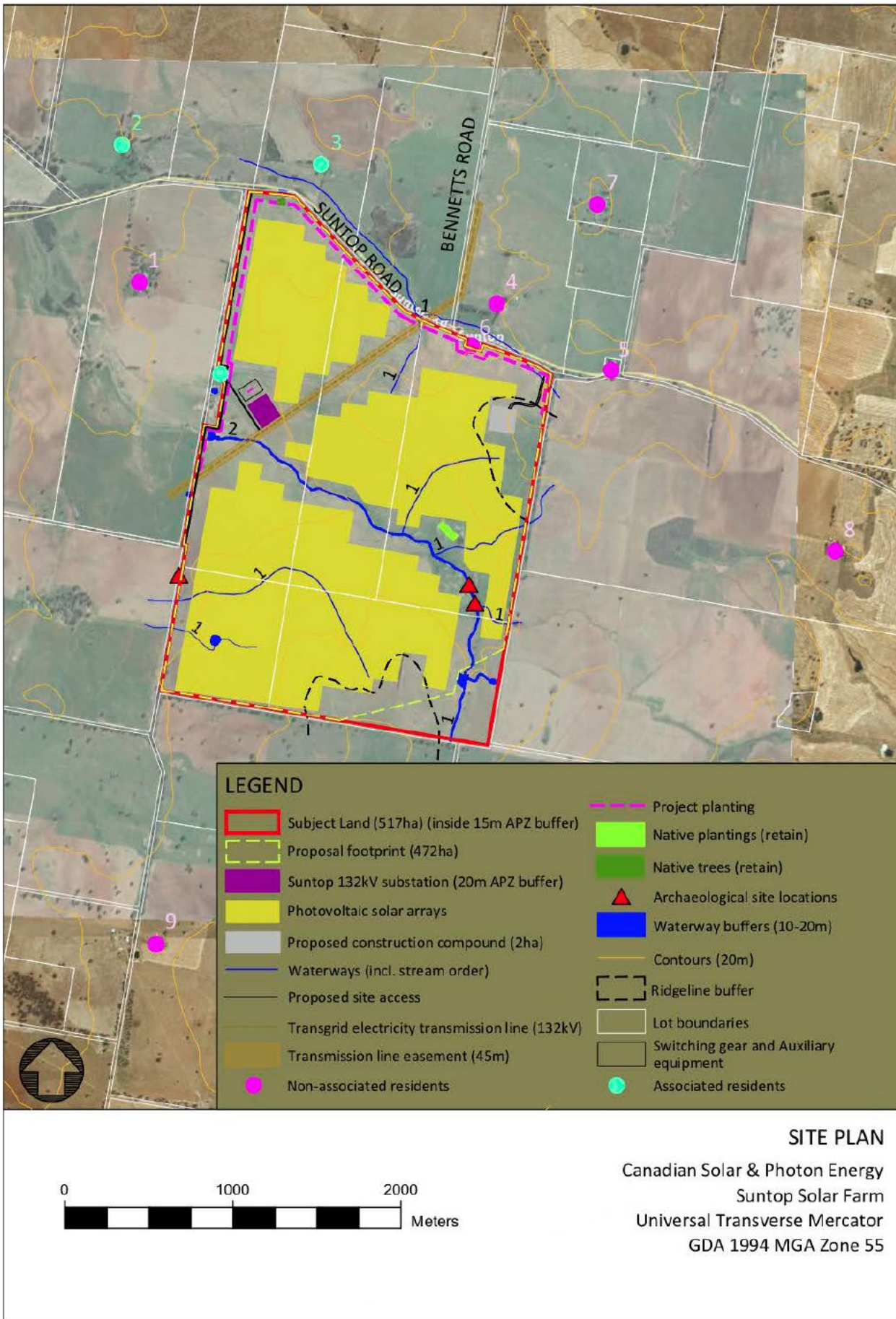
If you have any questions, please contact me, on (02) 6923 1532.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Sutherland', with a stylized flourish extending to the right.

Michial Sutherland
Manager Riverina and Western NSW
0427953053

APPENDIX A GENERAL LAYOUT



APPENDIX B COMPLIANCE TRACKING PROGRAM

Suntop Solar Farm Compliance tracking Program	Drop down Preconstruction	Drop down Not Triggered	Compliant
	Construction	Compliant	Not applicable or future work required
	Operation At all times Construction & Operation	Not Compliant	Not compliant work required

CoA	clause	Condition Wording	Phase	Relevant Reports	Compliance Status	Evidence
ADMINISTRATIVE CONDITIONS						
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT						
	1	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	At all times		Not Triggered	General Performance
TERMS OF CONSENT						
	2	The Applicant must carry out the development:				
	(a)	generally in accordance with the EIS; and	At all times			
	(b)	in accordance with the conditions of this consent.	At all times			
	3	Note: The general layout of the development is shown in Appendix 1.				
	4	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	At all times			
	(a)	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of:				
	(a)	any strategies, plans or correspondence that are submitted in accordance with this consent;	At all times			
	(b)	any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and	At all times			
	(c)	the implementation of any actions or measures contained in these documents.	At all times			
FINAL LAYOUT PLANS						
	5	Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including details on the siting of solar panels and ancillary infrastructure.	Preconstruction	Final layout plans	Compliant	Final layout plans DPIE Letter acknowledging plans
UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE						
	6	Over time, the Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Secretary incorporating the proposed upgrades.	Construction & Operation	Revised layout plans	Not Triggered	
WORK AS EXECUTED PLANS						
	7	Prior to the commencement of operations, or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development to the Department.	Construction	Works as Ex plans	Not Triggered	
NOTIFICATION OF DEPARTMENT						
	8	Prior to the commencement of construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement, or cessation, of the relevant phase.	At all times	Letter Notifying DPIE	Not Compliant	Email Notifying DPIE of: 1. Intersection work Renshaw McGirr Way/Suntop Rd, Wellington on 23rd March, 20 2. SSF Access work off Suntop Rd on 23rd March, 20 3. Letter from Canadian solar to DPIE Dated 2 July 2020 notifying of the commencement of construction. Notify DPIE of intended commencement of construction on or about 15 July 2020
STRUCTURAL ADEQUACY						
	9	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.	Construction & Operation	Cetrification Construction Certificate Occupation Certificate	Not Triggered	

	Notes: • Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. • Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	Construction & Operation	Cetrification Construction Certificate Occupation Certificate	Not Triggered		
DEMOLITION						
10	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	Construction & Operation	Ceritification	Not Triggered		
PROTECTION OF PUBLIC INFRASTRUCTURE						
11	Unless the Applicant and the applicable authority agree otherwise, the Applicant must:					
(a)	repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and	Construction	Agreement with Utility Provider	Not Triggered		
(b)	relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.	Construction	Agreement with Utility Provider	Not Triggered		
OPERATION OF PLANT AND EQUIPMENT						
12	The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:	Construction & Operation				
(a)	maintained in a proper and efficient condition; and	Construction & Operation	Plant inspection lists	Not Triggered		
(b)	operated in a proper and efficient manner.	Construction & Operation	Dail prestarts, maintance log	Not Triggered		
SUBDIVISION						
13	The Applicant may subdivide the site to create three new allotments, as identified in the figure in Appendix 5 and in accordance with the requirements of the EP&A Act and EP&A Regulation. Notes: • Under Part 6 of the EP&A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision. • Division 4 of Part 8 of the EP&A Regulation sets out the application requirements for subdivision certificates	Operation	Registration of the title, Lodged deposited Plan	Not Triggered		
ENVIRONMENTAL CONDITIONS – GENERAL						
BATTERIES						
1	Battery storage is not permitted on the project site. Note: Nothing in this condition prevents the Applicant from seeking to modify the consent to permit battery storage in the future.	At all times		Compliant	Site observation, battery storage has not occurred on site	
TRANSPORT						
2	The Applicant must ensure that the:					
(a)	development does not generate more than: • 45 heavy vehicle movements a day during construction, upgrading or decommissioning; • 1 over-dimensional vehicle movements a day during construction, upgrading or decommissioning; • 5 heavy vehicle movements a day during operations; on the public road network; and	Construction & Operation	Security gate records Chain of responsibility records	Not Triggered		
(b)	length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 19 metres, unless the Secretary agrees otherwise.	Construction	Security gate records Chain of responsibility records	Not Triggered		
3	The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day.	Construction	Security gate records Chain of responsibility records	Not Triggered		
4	All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Mitchell Highway, Showground Road, Renshaw McGirr Way and Suntop Road, as identified in the figure in Appendix 3. Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of overdimensional vehicles on the road network.	Construction	Security gate records Chain of responsibility records Traffic Management Plans	Not Triggered		
5	Prior to commencement of construction, the Applicant must upgrade the intersection of Renshaw McGirr Way and Suntop Road, to the satisfaction of the relevant roads authority.	Preconstruction	In progress. Works as Ex Photographs	Compliant	Site inspection, first 2 June 2020, second 2 July 2020 Photographs	Intersection completed, some pavement repairs currently improgress as cited (M sutherland) 2/7/2020

6	Prior to the commencement of construction, the Applicant must construct two site access points off Suntop Road (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, including sealing the on-site access roads a minimum of 30 m from their intersection with Suntop Road, in accordance with the Austroads Guide to Road Design (as amended by RMS supplements), to the satisfaction of Council.	Preconstruction	In progress. Works as Ex Photographs	Not Compliant	Council S138 approval to rural access (9 Jan 2020) cited. Site inspection, second 2 July 2020 Photographs	At the 2 July 2020 western access had topsoil stripped and subgrade exposed. No work had commenced on the eastern access.
7	The Applicant must ensure:					
(a)			Pavement design Works as Ex Photographs	Not Triggerred		
(b)	the internal roads are constructed as all-weather roads;	Construction	Compound Layout plans Parking design Works as Ex Photographs	Compliant	On site parking details suplied in TMP displayed on DPIE Website July 2020 Council Approved intersection and access plans 9 Jan 2020 Submitted to DPIE March 2020. Laydown area plans Site photos	
(c)	there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;	Construction	Access road design Drainage design	Compliant		
(d)	the capacity of the existing roadside drainage network is not reduced; all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and	Preconstruction	Laydown area plans Plant Inspection records Rumble grid design plans	Not Triggerred		
(e)	development-related vehicles leaving the site are in a clean condition and do not result in dirt being tracked onto the public road network.	Construction		Not Triggerred		
8	Prior to the commencement of construction, the Applicant must prepare a Traffic Management Plan for the development in consultation with RMS and Council, and to the satisfaction of the Secretary. This plan must include:	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(a)	details of the transport route/s to be used for all development-related traffic, including the location of access points;	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(b)	a protocol for undertaking independent dilapidation surveys to assess the: • existing condition of Suntop Road, Renshaw McGirr Way and Showground Road on the transport route/s prior to construction, upgrading or decommissioning activities; and • condition of Suntop Road, Renshaw McGirr Way and Showground Road on the transport route/s following construction, upgrading or decommissioning activities;	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(c)	a protocol for the repair of any local roads identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works;	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(d)	details of the road upgrade works required by condition 5 of Schedule 3;	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(e)	details of the measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction, upgrading or decommissioning works, including: • consideration of potential interaction with other State significant development projects in the Dubbo Regional LGA, in consultation with the Applicants of the projects; • temporary traffic controls, including detours and signage; • notifying the local community about project-related traffic impacts; • procedures for receiving and addressing complaints from the community about developmentrelated traffic; • minimising potential for conflict with school buses and other motorists as far as practicable; • scheduling of haulage vehicle movements to minimise convoy length or platoons; • responding to local climate conditions that may affect road safety such as fog, dust and wet weather; • responding to any emergency repair or maintenance requirements; and • a traffic management system for managing over-dimensional vehicles; and • a driver's code of conduct that addresses: • travelling speeds; • driver fatigue;	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	
(f)	• procedures to ensure that drivers adhere to the designated transport route/s; and • procedures to ensure that drivers implement safe driving practices.	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020	

	Following the Secretary's approval, the Applicant must implement the Traffic Management Plan.	Preconstruction	TMP Approval letter from DPIE 24 April 2020	Compliant	TMP displayed on DPIE Website July 2020							
LANDSCAPING												
9	The Applicant must establish and maintain a mature vegetation buffer (landscape screening) at the locations outlined in the figure in Appendix 1, to the satisfaction of the Secretary. This vegetation buffer must:											
(a)	be planted prior to the commencement of operations;	Construction	Photos Planting Audit	Not Triggered								
(b)	consist of species that facilitate the best possible outcome in terms of visual screening;	Construction	Photos Planting Audit	Not Triggered								
(c)	be effective at screening views of solar panels and ancillary infrastructure on site from residence R1 and R6 within 3 years of commencing construction; and	Construction	Photos Planting Audit	Not Triggered								
(d)	be properly maintained with appropriate weed management.	Construction	Photos Planting Audit	Not Triggered								
10	Prior to the commencement of construction, the Applicant must prepare a detailed Landscaping Plan for the development in consultation with Council and surrounding landowners, to the satisfaction of the Secretary. This plan must include:		LP Approval letter from DPIE 5 May 2020	Compliant	LP Approval letter from DPIE 5 May 2020							
(a)	a description of measures that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 9 (a) – (c) of schedule 3 of this consent;	Preconstruction	LP Approval letter from DPIE 5 May 2020	Compliant	LP Approval letter from DPIE 5 May 2020							
(b)	include a program to monitor and report on the effectiveness of these measures; and	Preconstruction	LP Approval letter from DPIE 5 May 2020	Compliant	LP Approval letter from DPIE 5 May 2020							
(c)	include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.	Preconstruction	LP Approval letter from DPIE 5 May 2020	Compliant	LP Approval letter from DPIE 5 May 2020							
	Following the Secretary's approval, the Applicant must implement the Landscaping Plan.	Preconstruction	LP Approval letter from DPIE 5 May 2020	Compliant	LP Approval letter from DPIE 5 May 2020							
LAND MANAGEMENT												
11	Following any construction or upgrading on the site, the Applicant must:	Construction & Operation										
(a)	restore the ground cover of the site as soon as practicable;	Construction & Operation	Photos Site stability and cover Report	Not Triggered								
(b)	maintain the ground cover with appropriate perennial species; and	Construction & Operation	Photos Site stability and cover Report	Not Triggered								
(c)	manage weeds within this ground cover.	Construction & Operation	Photos Site stability and cover Report	Not Triggered								
BIODIVERSITY												
12	Prior to the commencement of construction, unless otherwise agreed by the Secretary, the Applicant must retire biodiversity credits of a number and class specified in Table 1 below to the satisfaction of OEH. The retirement of these credits must be carried out in accordance with the NSW Biodiversity Offsets Scheme and can be achieved by:		Letter from DPIE approving BMP Letter retiring offset credits XX June 2020	Not Compliant		Retire Credits or seek alternative time frame for same						
(a)	acquiring or retiring 'biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016;	Preconstruction	BMP Letter retiring offset credits XX June 2020	Not Compliant								
(b)	making payments into an offset fund that has been developed by the NSW Government; or	Preconstruction	BMP Letter retiring offset credits XX June 2020	Not Compliant								
(c)	providing supplementary measures.	Preconstruction	BMP Letter retiring offset credits XX June 2020	Not Compliant								
	<table border="1"> <thead> <tr> <th>Vegetation Community</th> <th>PCTID</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td>White Box – White Cypress Pine – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion</td> <td>PCT267</td> <td>47.75</td> </tr> </tbody> </table>	Vegetation Community	PCTID	Credits Required	White Box – White Cypress Pine – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion		PCT267	47.75	Preconstruction	BMP Letter retiring offset credits XX June 2020	Not Compliant	
Vegetation Community	PCTID	Credits Required										
White Box – White Cypress Pine – Western Grey Box shrub/grass/forb woodland in the NSW South Western Slopes Bioregion	PCT267	47.75										
	Note: Following repeal of the Threatened Species Conservation Act 1995 on 25 August 2017, credits created under that Act are taken to be "biodiversity credits" under the Biodiversity Conservation Act 2016 by virtue of clause 22 of the Biodiversity Conservation (Savings and Transitional) Regulation 2017.	Preconstruction	BMP Letter retiring offset credits XX June 2020	Not Compliant								
13	Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with OEH, and to the satisfaction of the Secretary. This plan must:	Preconstruction	BMP Approval letter from DPIE XX June 2020	Compliant	BMP approved by BCD 11 June 2020. Final Version of BMP listed on DPIE Website July 2020.							

	(a)	include a description of the measures that would be implemented for: <ul style="list-style-type: none"> managing the remnant vegetation and fauna habitat on site; minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development; minimising the impacts to fauna on site (including fauna interaction with perimeter fencing) and implementing fauna management protocols; avoiding the removal of hollow-bearing trees during late winter and spring to avoid the main breeding period for hollow-dependent fauna; rehabilitating and revegetating temporary disturbance areas; protecting vegetation and fauna habitat outside the approved disturbance areas; maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site; and 							
	(b)	controlling weeds and feral pests; and	Preconstruction	BMP Approval letter from DPIE XX June 2020	Compliant			BMP approved by BCD 11 June 2020. Final Version of BMP listed on DPIE Website July 2020.	
		include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.	Preconstruction	BMP Approval letter from DPIE XX June 2020	Compliant			BMP approved by BCD 11 June 2020. Final Version of BMP listed on DPIE Website July 2020.	
		Following the Secretary's approval, the Applicant must implement the Biodiversity Management Plan. Note: If the biodiversity credits are retired via a Biodiversity Stewardship Agreement, then the Biodiversity Management Plan does not need to include any of the matters covered under the Biodiversity Stewardship Agreement.	Construction	BMP Varios site records Photos	Not Triggered				
AMENITY									
14		Unless the Secretary agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between:							
	(a)	7 am to 6 pm Monday to Friday;	Construction & Operation	Site Records	Not Triggered				
	(b)	8 am to 1 pm Saturdays; and	Construction & Operation	Site Records	Not Triggered				
	(c)	at no time on Sundays and NSW public holidays. The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary: <ul style="list-style-type: none"> the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or emergency work to avoid the loss of life, property and/or material harm to the environment. 	Construction & Operation	Site Records	Not Triggered				
15		The Applicant must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the Interim Construction Noise Guideline (DECC, 2009), or its latest version.	At all times	Complaint Management system Plant records Site Records Complaint Management system Plant records	Not Triggered				
16		The Applicant must minimise the dust generated by the development. The Applicant must:	Construction & Operation	Site Records	Not Triggered				
	(a)	minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;	Construction & Operation	Complaint Management system Plant records Site Records Complaint Management system	Not Triggered				
	(b)	ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and	Construction & Operation	Plant records Complaint Management system	Not Triggered				
	(c)	not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.	Construction & Operation	Plant records Site Records	Not Triggered				
18		The Applicant must:							
	(a)	minimise the off-site lighting impacts of the development;	Construction & Operation	Designs Works as Ex.	Not Triggered				
	(b)	ensure that all external lighting associated with the development: <ul style="list-style-type: none"> is installed as low intensity lighting (except where required for safety or emergency purposes); does not shine above the horizontal; and complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version. 	Construction & Operation	Designs Works as Ex.	Not Triggered				
HERITAGE									
19		The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items identified in Table 1 in Appendix 4 or located outside the approved development footprint. Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 1.	Construction & Operation	Site records and observation CHMP Approval letter from BCD 11 March 2020	Not Triggered				

20						
21	If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and OEH as soon as possible following the discovery, and work must not recommence in the area until this is authorised by OEH. Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal stakeholders, and to the satisfaction of OEH. Following OEH's approval, the Applicant must implement the Chance Finds Protocol.	Construction & Operation	Site Records Site incident report	Not Triggered		
		Preconstruction	Chance finds protocol Approval letter from BCD 11 March 2020	Compliant	Chance finds protocol Approval letter from BCD 11 March 2020	
SOIL & WATER						
22	The Applicant must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply. Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Applicant is required to obtain the necessary water licences for the development.		Site water estimates Site water quality requirements Potable water sources			
23		Construction & Operation	Site records and observations	Not Triggered		
24	The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act. Note: Section 120 of the POEO Act makes it an offence to pollute any waters. The Applicant must:	Construction & Operation	Site records and observations	Not Triggered		
(a)	minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version;	Construction & Operation	Site records and observations	Not Triggered		
(b)	ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and	At all times	Design Site records and observations	Not Triggered		
(c)	ensure all works (including watercourse crossings) are undertaken in accordance with the following, unless otherwise agreed by DoI – L & W: • Guidelines for Controlled Activities on Waterfront Land (2012), or its latest version; and • Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004), or its latest version.	Construction	Design Site observations and Records SWMP	Not Triggered		
HAZARDS						
25	The Applicant must:					
(a)	store and handle all dangerous or hazardous materials on site in accordance with Australian Standard AS1940-2004: The storage and handling of flammable and combustible liquids, or its latest version;	Construction & Operation	Storage containers SDS Hazardous Substance Procedure	Not Triggered		
(b)			Designs Drawings Works as Ex			
(c)	ensure the substation is suitably banded; and	Construction & Operation	Photos and site observations SWMP	Not Triggered		
	minimise any spills of dangerous goods and hazardous materials, and clean up any spills as soon as possible after they occur.	Construction & Operation	Emergency Response Plan Site observations and records Incident response Records	Not Triggered		
26	The Applicant must:					
(a)	minimise the fire risks of the development;	Construction & Operation				
(b)	ensure that the development: • includes at least a 10 metre defendable space around the perimeter of the solar array area that permits unobstructed vehicle access; • manages the defendable space and solar array areas as an Asset Protection Zone; • complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2006 (or equivalent) and Standards for Asset Protection Zones; • is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65mm Storz fitting and a FRNSW compatible suction connection, located adjacent to the internal access road;	Construction & Operation	Designs Drawings Landscap Plans FMERP	Not Triggered		
(c)	assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and	Construction & Operation	Site observations and records FMERP	Not Triggered		
(d)	notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.	Construction	Notification of Emergency Mnagement Committee	Not Triggered		

27	Prior to the commencement of operations, the Applicant must prepare a Fire Management and Emergency Response Plan for the development in consultation with the RFS and Fire & Rescue NSW. This plan must identify the fire risks and controls of the development, and the procedures that would be implemented if there is a fire on site or in the vicinity of the site. Two copies of the plan must be kept on site in a prominent position adjacent to the site entry point at all times.	Construction	FMERP Document storage box at front gate	Not Triggered	
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WASTE

28	The Applicant must:	Construction & Operation	Waste tracking program	Not Triggered	
(a)	minimise the waste generated by the development;	Construction & Operation	Waste tracking program	Not Triggered	
(b)	classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version);	Construction & Operation	Waste tracking program	Not Triggered	
(c)	store and handle all waste on site in accordance with its classification;	Construction & Operation	Waste tracking program	Not Triggered	
(d)	not receive or dispose of any waste on site; and	Construction & Operation	Induction	Not Triggered	
(e)	remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.	Construction & Operation	Site observations and records	Not Triggered	

ACCOMMODATION AND EMPLOYMENT STRATEGY

29	Prior to the commencement of construction, the Applicant must prepare an Accommodation and Employment Strategy for the development in consultation with Council, and to the satisfaction of the Secretary. This strategy must:	Preconstruction	AES Letter from DPIE 24 April 2020	Compliant	AES Approved April 2020 and displayed on DPIE Website July 2020.
(a)	propose a strategy to facilitate the accommodation of the workforce associated with the development, with consideration of the cumulative impacts associated with other State significant development projects in the Dubbo Regional LGA constructed concurrently;	Preconstruction	AES Letter from DPIE 24 April 2020	Compliant	AES Approved April 2020 and displayed on DPIE Website July 2020.
(b)	investigate options for prioritising the employment of local workers for the construction and operation of the development where feasible; and	Preconstruction	AES Letter from DPIE 24 April 2020	Compliant	AES Approved April 2020 and displayed on DPIE Website July 2020.
(c)	include a program to monitor and review the effectiveness of the strategy over the life of the development. Following the Secretary's approval, the Applicant must implement the Accommodation and Employment Strategy.	Preconstruction	AES Letter from DPIE 24 April 2020	Compliant	AES Approved April 2020 and displayed on DPIE Website July 2020.

DECOMMISSIONING & REHABILITATION

30	Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 2.	Operation	Site observations and records	Not Triggered											
	<i>Table 2: Rehabilitation Objectives</i>														
	<table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Project site</td> <td> <ul style="list-style-type: none"> Safe, stable and non-polluting Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use </td> </tr> <tr> <td>Solar farm infrastructure</td> <td> <ul style="list-style-type: none"> To be decommissioned and removed, unless the Secretary agrees otherwise </td> </tr> <tr> <td>Land use</td> <td> <ul style="list-style-type: none"> Restore land capability to pre-existing agricultural use </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> Ensure public safety </td> </tr> </tbody> </table>	Feature	Objective	Project site	<ul style="list-style-type: none"> Safe, stable and non-polluting Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use 	Solar farm infrastructure	<ul style="list-style-type: none"> To be decommissioned and removed, unless the Secretary agrees otherwise 	Land use	<ul style="list-style-type: none"> Restore land capability to pre-existing agricultural use 	Community	<ul style="list-style-type: none"> Ensure public safety 	Operation	Site observations and records	Not Triggered	
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ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

1	Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:				
(a)	provide the strategic framework for environmental management of the development;	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020
(b)	identify the statutory approvals that apply to the development;	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020
(c)	describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020
(d)	describe the procedures that would be implemented to: <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the development; receive, handle, respond to, and record complaints; resolve any disputes that may arise; respond to any non-compliance; respond to emergencies; and 	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020

(e)	include:	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020	
	<ul style="list-style-type: none"> references to any plans approved under the conditions of this consent; and a clear plan depicting all the monitoring to be carried out in relation to the development. 	Preconstruction	EMS Approval letter from DPIE	Compliant	EMS Approval letter from DPIE dated 18 March 2020	
2	Following the Secretary's approval, the Applicant must implement the Environmental Management Strategy. The Applicant must:					
(a)	update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and	Operation	Updated plans DPIE approval to plans	Not Triggered		
(b)	review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the:					
	<ul style="list-style-type: none"> submission of an incident report under condition 4 of Schedule 4; submission of an audit report under condition 6 of Schedule 4; or any modification to the conditions of this consent. 	At all times	Review report Incident Reports Audit Report Modification Report	Not Triggered		
3	With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis. To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent. Notes: <ul style="list-style-type: none"> While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program. 	At all times	Progressive Plans	Not Triggered		
INCIDENT NOTIFICATION						
4	The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	Construction & Operation	EMS Incident notification Incident Report	Not Triggered		
NON-COMPLIANCE NOTIFICATION						
5	The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been done, or will be, undertaken to address the noncompliance.	Construction & Operation	EMS Incident notification Incident Report	Not Triggered		
5a	Prior to commencing the construction, upgrading and decommissioning of the development, the Applicant must submit a compliance report to the Department in accordance with the relevant Compliance Reporting Post Approval Requirements (DPE 2018), or its latest version.	Preconstruction	Compliance Report	Compliant	This Compliance Report	
INDEPENDENT ENVIRONMENTAL AUDIT						
6	Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:					
(aa)	be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);	Construction	EMS Audit Report	Not Triggered		
(a)	be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;	Construction	EMS Endorsement by DPIE of the Audit	Not Triggered		

(b)			Consultation letter to agencies Response from agencies pre audit Audit Report	Not Triggered
(c)	be carried out in consultation with the relevant agencies; assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and	Construction		
(d)	recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.	Construction	Audit Report	Not Triggered
	Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.	Construction	Audit Report	Not Triggered
		Operation	Audit Report	Not Triggered

ACCESS TO INFORMATION

7	The Applicant must:			
(a)	make the following information publicly available on its website as relevant to the stage of the development: <ul style="list-style-type: none"> • the EIS; • the final layout plans for the development; • current statutory approvals for the development; • approved strategies, plans or programs required under the conditions of this consent; • the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; • how complaints about the development can be made; • a complaints register; • any independent environmental audit, and the Applicant's response to the recommendations in any audit; and • any other matter required by the Secretary; and 	At all times At all times	Website Website	Compliant Not Triggered
(b)	keep this information up to date.			

EIS at
<https://suntopsolarfarm.com.au/solar-project/>
 Layout plans via link to DPIE
 Approvals via link to DPIE Website
 Plans and strategies via link to DPIE website
 Complaints made via website



APPENDIX C COMPLIANCE REPORT DECLARATION

Project Name: Suntop Solar Farm

Project Application No.: SSD 8696

Description of Project: Suntop Solar Farm is approximately 10km west of Wellington within the Dubbo Regional local government area. The approved project includes the construction, operation upgrading and decommissioning a solar farm with an estimated capacity of 170 megawatts.

Project Address: Lots 1, 2, and 3 DP 506925, lot 122 DP753238 and lot 90 DP 657805, Suntop Road, Wellington, NSW.

Proponent: Suntop Solar Farm Pty Ltd

Title of Compliance Report: Preconstruction


Date: 03 July 2020

I declare that I have reviewed the contents of the attached Compliance Report and to the best of my knowledge:

- i. the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- ii. the Compliance Report has been prepared in accordance with the Compliance Reporting Requirements;
- iii. the findings of the Compliance Report are reported truthfully, accurately and completely;
- iv. due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- v. the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer	Mike Sutherland
Title	Manager Riverina and Western NSW
Signature	
Qualification	Ba.Edu Sci., Environmental Audit, Centre for Professional Development Melb.1997, Environmental Auditing (22 years) including manufacturing, waste, SSI / SSD.
Company	NGH Pty Ltd
Company Address	35 Kincaid Street, Wagga Wagga, NSW