

# Pre-Operational Compliance Report



NYNGAN SOLAR PLANT

February 2016



## Document Verification

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## 1 INTRODUCTION

### 1.1 BACKGROUND

AGL Energy Limited (AGL) has approval to construct a solar photovoltaic (PV) power solar station with a nominal capacity of up to 106 megawatts (MW) at Nyngan in Central West New South Wales (NSW). The solar plant will be located approximately 10 kilometres west of Nyngan township.

The Nyngan Solar Power Plant development encompasses the construction, operation and decommissioning of a solar power station over approximately 300 hectares of a 460 hectare privately owned property, and a transmission line easement approximately 3 kilometres long by 40 metres wide to connect the solar plant to the existing Nyngan – Cobar 132kV transmission line.

Development consent for the project was granted by the NSW Minister for Planning and Infrastructure under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 15 July 2013. The development consent specifies the conditions of project approval with which AGL and its contractors must comply.

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### 1.2 PURPOSE

The purpose of this report is to provide a Pre-Operational Compliance Report to comply with condition C16 of the project's development consent (SSD-5355). Condition C16 states that:

*Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:*

- a) Provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, **prior to the commencement of operation of the development** and within two years of operation commencement;
- b) A program for independent environmental auditing in accordance with AS/NZS 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 Director-General 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 consent relevant to their respective activities.



### 1.3 SCOPE

This report documents the compliance status with these requirements, specifically in relation to the pre-operational conditions of the development consent, including the mitigation measures. First Solar identified the consent conditions that must be complied to prior to the start of operations or relevant to the pre-operational activities.

AGL's compliance (including CPP's) with these conditions is also provided (or referred to) in this compliance report.

This report relies on information from the CEMP sub plans and subsequent reports, including records generated as a result of implementing the CEMP for each project stage (up to operations), and in supporting information provided by AGL such as email and Aconex transmittals, the independent external audit findings, reports, photographs and on-site records generated as part of implementing the Nyngan Solar Plant CEMP.

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### 1.4 SCOPE EXCLUSIONS

Compliance to the consent conditions applicable to Enabling Works (Stage 0) has previously been established and reported in the Pre-Construction Compliance Report published by ngh environmental in March 2014.

Compliance to the consent conditions relevant to the construction stage (ie. Stage 1, Staging Report) has generally been documented in the external independent audit completed by ERM on 14-15 May 2015.

Compliance status to consent conditions relevant to Operational and Decommissioning stages is not presented in this report.

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### 1.5 DOCUMENTS RELEVANT TO THIS REPORT

In preparing this report, the following list of documents have either been referred to, referenced or used as supporting evidence to verify compliance status:

- *Nyngan Solar Plant Staging Report (ngh environmental, 2013).*
- *Nyngan Solar Plant Pre-Construction Compliance Report, ngh environmental (March 2014).*
- *Construction Environmental Management Plan (CEMP) Nyngan Solar PV Power Station, First Solar (Version H, Nyngan Solar Plant, 2015).*
- *Nyngan Solar Plant Operations & Maintenance EHS Manual [Completed June 2015]*
- *Independent External Audit Report conducted by ERM (14-15 May 2015).*
- *Nyngan Solar Plant Compliance Tracking Program [spreadsheet], updated April 2015.*
- *Records (Forms) completed as a result of implementing the above CEMP (Available on First Solar's "Power" intranet site).*

- Review of First Solar Pre-Operational Compliance Report, 6243 V1.0 ( Ngh environmental, September 2015)
- NYNGAN SOLAR PV POWER STATION SITE CHARACTERISATION AND QUALITATIVE ECOLOGICAL RISK ASSESSMENT REPORT – END OF LIFE PACKAGING MATERIALS MANAGEMENT (Proposed use onsite), First Solar, October 2015
- Use of Chipped End of Life Packaging Material as a Soil Amendment - Approval for On-site Re-use by NSW EPA, DOC15/418098, NSW EPA 6/11/2015.
- Visual Impact Verification Report – Nyngan Solar Farm, ngh environmental, September 2015, Rev. 1
- ngh environmental 19/11/15 “Nyngan Solar Farm Compliance and Advice – Offset and revegetation monitoring” (Draft).

**2 COMPLIANCE WITH PRE-OPERATIONAL DEVELOPMENT CONSENT CONDITIONS**

**Compliance status key:** Closed = Compliant, I = Indeterminate, NT = Not Triggered, ER = Environmental Representative, WEAC = Worker Environmental Awareness and Compliance Training (Version 3), Ongoing = commitment carried over into operations stage, NA = Not Applicable

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
Part A. Administrative Conditions.  <b>A1. Obligation to Minimise Harm to the Environment.</b>	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.	Compliant	Closed	<p>The POEO Act refers to material harm to the environment where actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial or that results in actual or potential loss or property damage of an amount over \$10,000.</p> <p>CEMP developed and being implemented to minimise risk of environmental harm (EH) (e.g. where &gt;\$10k required to restore damage). There are no instances of where EH occurred on site.</p> <p>Only minor incidents occurred with no environmental harm.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
Part A. Administrative Conditions.  <b>A2. Terms of Consent</b>	The Applicant shall carry out the development generally in accordance with the: a) State Significant development Application SSD-5355  b) Nyngan Solar Plant Environmental Impact	Compliant	Closed	<p>Development is being undertaken as per the documents listed e.g. EIS, Submissions Report and CEMP. This compliance tracking program (CTP), ie. The tables in Sections 2 &amp; 3 of this report, evaluates</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>Statement prepared by NGH environmental dated March 2013</p> <p>c) Nyngan Solar Plant Submissions Report prepared by NGH environmental dated June 2013</p> <p>d) Conditions of this consent</p>			<p>compliance to the CEMP and submissions report (with Revised Mitigation Measures or REMMs).</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>Further, ngh environmental has conducted a validation study of the area impacted by construction in September 2015 for AGL (email to T. Guerin, FS on 2/11/2015 from A. Mackett, AGL).</p>
<p>Part A. Administrative Conditions.</p> <p><b>A3. Terms of Consent</b></p>	<p>If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency.</p>	Compliant	Closed	<p>Noted. No inconsistencies identified.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part A. Administrative Conditions.</p> <p><b>A4. Terms of Consent</b></p>	<p>The applicant shall comply with any reasonable requirement(s) of the Director-General (DG) arising from the Department's assessment of:</p> <p>a) any reports, plans or correspondence that are submitted in accordance with this consent;</p>	Compliant	Closed	<p>Since construction, no specific instruction from the DG. CEMP was reviewed and approved by DP&amp;E. CEMP is currently on Revision H (17/04/2015)</p> <p>A CEMP audit has been conducted (June 2014) to assess compliance of construction activities with the CEMP.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	b) the implementation of any actions or measures contained within these documents			Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
<p>Part A. Administrative Conditions.</p> <p><b>A5. Staging</b></p>	<p>The applicant may elect to construct and/or operate the development in stages. Where staging is proposed, the Applicant shall submit a Staging Report to the Director-General prior to the commencement of the first proposed stage. The Staging Report shall provide details of:</p> <p>a) how the development would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence</p> <p>b) details of the relevant conditions of development consent, which would apply to each stage and how these shall be complied with across and between the stages of the development.</p> <p>Where staging of the development is proposed, these conditions are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).</p>	Compliant	Closed	No changes have been made to the staging nor are any proposed.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>The Applicant shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Director-General prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.</p>			
<p>Part A. Administrative Conditions.</p> <p><b>A6. Structural Adequacy</b></p>	<p>The Applicant shall 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 BCA.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Principal Certifier has provided interim occupational certificate for entire site [Item S5006, 2015-11-11 in Site Incomplete Works Register]</p>
<p>Part A. Administrative Conditions.</p> <p><b>A10. Compliance</b></p>	<p>The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Environmental Awareness (WEAC) Training occurs twice a week. Driver inductions occur as required. These inductions educate individuals as to their compliance requirements relevant to their scopes of work. Individuals with additional and specific requirements e.g. weed control with chemicals, are required to show evidence of their competency prior to their specific works. e.g. fauna handlers have competencies required by CEMP Flora &amp; Fauna Sub plan.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
Part A. Administrative Conditions. <b>A11. Compliance</b>	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-con tractors and visitors.	Compliant	Closed	Please note that First Solar has operational control of the Site and is the Principal Contractor as per clauses 11.1 and 11.2 of the Nyngan EPC Contract. Additionally, First Solar provides an indemnity in accordance with clause 11.5.
Part A. Administrative Conditions. <b>A12. Compliance</b>	Dispute	NT	NT	Noted. No disputes have occurred therefore this condition has not been triggered.
Part B. Environmental Performance General Conditions <b>B1. Ancillary Facilities</b>	Unless otherwise approved by the Director-General, the location of Ancillary Facilities shall: a) be located more than 50 metres from a waterway; b) be located within or adjacent to the Site; c) have ready access to the road network; d) be located to minimise the need for heavy vehicles to travel through residential areas e) be sited on relatively level land f) be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant); g) not require vegetation clearing beyond that already required by the development; h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already impacted by the development; i) not unreasonably affect the land use of adjacent properties;	Compliant	Closed	Noted. The construction compound has been approved as part of the EIS, CEMP and project approval. There are no ancillary facilities outside of the project. The camp in Nyngan has been approval under a separate DA issued by the Bogan Shire Council (DA 2013/019 05.12.2013).  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

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	<p>j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented;</p> <p>k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.</p> <p>The location of the Ancillary Facilities shall be identified in the CEMP.</p>			
<p>Part B. Environmental Performance General Conditions</p> <p><b>B2. De-commissioning and Rehabilitation</b></p>	<p>The site of all ancillary facilities shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the relevant landowner.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Noted. The construction compound has been approved as part of the EIS and project approval and ancillary facilities are temporary only. There are no ancillary facilities outside of the project. The camp in Nyngan has been approval under a separate DA.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>There are commitments to rehabilitate construction compound areas once all temporary buildings are removed. First Solar engaged Neill’s Earthmoving to undertake blue metal removal, ripping activities and placement of mulch (as approved by EPA) to rehabilitate areas impacted by the construction in particular laydowns and former office and carpark areas. This work was completed at the end of 2015 (refer to First Solar site inspection dated 16/12/15</p>

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				<p>showing final road restoration and soil amendment placement – using Monthly Environmental Reporting template).</p>
<p>Part B. Environmental Performance General Conditions</p> <p><b>B3. Bushfire Risk</b></p>	<p>The Applicant shall ensure that all development components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant NSW Rural Fire Services (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.</p>	<p>Compliant</p>	<p>Closed</p>	<p>There is a Bushfire Management Plan (CEMP-N) for managing this risk and First Solar HSE emergency management plans. There is a hot work permitting system functioning out of the FS site offices. There is daily communication to all site personnel describing fire risk (for that day and week). The controls (in the CEMP) include:</p> <ul style="list-style-type: none"> <li>- appropriate storage of combustible and flammable liquids</li> <li>- creation of fire breaks (constructed in September 2014)</li> <li>- emergency training of personnel</li> <li>- regular engagement with the local RFS</li> <li>- use of a hot work permit system which communicates requirements to all personnel working on ignition sources</li> </ul> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Part B. Environmental Performance General Conditions</p> <p><b>B5. Dangerous Goods</b></p>	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:</p> <p>a) all relevant Australian Standards;  b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund;  c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, Technical Bulletin (Environment Protection Authority, 1997).</p> <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	<p>Compliant</p>	<p>Closed</p>	<p>The DGs stored on site were diesel in bulk container (20KL) and small quantities of diesel and petrol (in 20L Gerry cans). No DGs are currently stored on site.</p> <p>There is no evidence of any spillage or fuel residues in the soils underlying the former DG storage areas.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part B. Environmental Performance General Conditions</p> <p><b>B6. Dust Generation</b></p>	<p>The Applicant shall construct and operate the development in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All development 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 development occur during construction and operation, the Applicant shall identify and implement all practicable dust mitigation measures,</p>	<p>Compliant</p>	<p>Closed</p>	<p>There is a dust management plan for the site as per the CEMP (Appendix N) and completed D-01 Forms Weekly Environmental Inspections. This requires works to stop when excessive dust generation is observed, which happens on occasion. The main controls in effect on the site are judicious use of water sprayed from water carts on site (up to 3). The project is also minimising disturbed areas and allowing these areas to naturally re-establish.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes</p>

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	including cessation of relevant works during construction, planting ground covers, using dust suppressants as appropriate, such that emissions of visible dust cease.			reference to relevant plans, completed forms (records) and file notes.
Part B. Environmental Performance General Conditions <b>B7. Water Quality Impact</b>	Except as may be expressly provided by an Environment Protection Licence for the development, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	Compliant	Closed	No events have occurred on site where there have been discharges of water as evidenced from completed form Q-01. The site is flat and water stays on site. Erosion sediment controls (ESCs) are in place around the site.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
Part B. Environmental Performance General Conditions <b>B8. Water Quality Impact</b>	Works within 40m of a watercourse are to be carried out in accordance with the Guidelines for Controlled Activities on Waterfront Land (NOW, July 2012).	NT	Closed	No water courses are on site and therefore is not triggered.
Part B. Environmental Performance General Conditions <b>B9. Construction Soil and Water Management</b>	Soil and water management measures consistent with Managing Urban Stormwater -Soils and Construction Vol. 1 (Landcom, 2004) shall be employed during the construction of the development to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters	Compliant	Closed	CEMP Sub plan E defines the requirements. There are several ESC structures in place as evidence of this plan's implementation.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
Part B. Environmental Performance General Conditions  <b>B10. Waterways</b>	Waterway crossings shall be designed and constructed in consultation with NOW and DPI (Fisheries) and consistent with Fisheries Guidelines Policy and Guidelines for Fish Friendly Waterway Crossings (2004) and Fish Passage Requirements for Waterway Crossings (2004)	Compliant	Closed	There are no waterways on site. The only potentially relevant waterway crossing is the crossing under the main access road (into the site), referred to as the culvert.
Part B. Environmental Performance General Conditions  <b>B11. Waste Management</b>	All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials	Compliant	Closed	<p>There is a waste management plan that defines the management of wastes. The type of wasted generated at the site are general (domestic) wastes from offices, cardboard and pallets from use of PV modules, various metals wastes from construction. Concrete wastes are generated from building foundations and fencing activities. Liquid sewage wastes are generated from the toilets. All of these wastes are under regular collection regimes which schedule pick up wastes streams on a weekly basis. In relation to the used packaging materials, FS have disposed a small proportion of used pallets, plastic and cardboard offsite for recycling. All remaining used packaging materials have been shredded for on-site incorporation into the soil as soil amendments (EPA Approval Ref. DOC15/418098 received by FS, dated 6/11/2015). This work as completed at the end of 2015.</p> <p>General waste was collected by JR Richards and disposed of via landfill.</p> <p>Copies of completed forms U-01 and U-02 and all the</p>

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				<p>licences for waste handling companies engaged are available on file.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part B. Environmental Performance General Conditions</p> <p><b>B12. Waste Management</b></p>	<p>Waste generated outside the site shall not 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.</p>	<p>Compliant</p>	<p>Closed</p>	<p>No materials have been delivered to site which can be described of as waste.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part B. Environmental Performance General Conditions</p> <p><b>B13. Waste Management</b></p>	<p>All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water, 2009), or any superseding document</p>	<p>Compliant</p>	<p>Closed</p>	<p>Liquid wastes are disposed of via a liquid collection semi-trailer (each Friday) and disposed of in Dubbo at a licensed liquid waste disposal facility (company). The only liquid waste disposed of is toilet waste.</p> <p>Sub-contractors (WBHO) sent through a list of waste disposed each week on Forms U-01 and U-02.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

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Part B. Environmental Performance General Conditions  <b>B14. Utilities and Services</b>	Utilities, services and other infrastructure potentially affected by construction and <b>operation</b> shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant.	Compliant	Closed	This has been addressed and previously accepted as compliant in the Pre-Construction Compliance Report.
Part B. Environmental Performance Visual Amenity  <b>B15. Native Vegetation Impacts</b>	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 C3(a).	Compliant	Closed	As part of the project approval, an east-west strip of trees (across the site) and selected paddocked trees including those along the site access road were removed. This native vegetation removal was limited by the extent as defined in the Biodiversity Offset Management Plan appendicised in the CEMP (Figure F02). These plants were removed according to the clearing requirements as per the Flora and Fauna management plan (in the CEMP). Ongoing minimisation to vegetation disturbance is achieved through educating work force on limits of disturbance and approved areas for vehicular access.

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				<p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>It is noted here that ngh environmental has undertaken a validation of the construction footprint including of the former east-west strip of trees in Q4 2015.</p>
<p>Part B. Environmental Performance Flora and Fauna</p> <p><b>B16. Native Vegetation Impacts</b></p>	<p>Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas (either in offset areas or areas adjoining impacted areas) and included in the Construction Flora and Fauna Management Plan contained in condition C3(a).</p>	<p>Compliant</p>	<p>Closed</p>	<p>A post-clearing management plan was developed by an external ecologist. This advised on best use of CWD and HBTs (post clearing). FS has implemented this plan by relocating HBTs and CWD to Area 2 (Environmental Area) between Blocks 3 &amp; 4. Refer also to REMM 6 in this report.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part B. Environmental Performance Flora and Fauna</p> <p><b>B17. Fauna Impacts</b></p>	<p>The Applicant shall design, construct and operate any overhead transmission line connection to the electricity grid with consideration to reasonable and feasible mitigation measures that can be employed to minimise the risk of bird and bat strike into electricity wires.</p>	<p>Compliant</p>	<p>Closed</p>	<p>This was a responsibility of CPP, the contractor responsible for constructing the transmission line and substation. This was deemed compliant by approval of the Pre-Construction Compliance Report dated 28 March 2014.</p>



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<p>Visual Amenity Landscaping requirements <b>B18, &amp; B19</b></p>	<p>B18 – within six months of the commissioning of the development, the Applicant shall prepare and submit a visual impact verification report for the Director Generals Approval... .. B19 within 18 months of the approval of the visual Impact Verification Report (VIVR) by the Director General, the Applicant shall ensure that the measures identified in the Report are implemented at affected receptors and roadways as identified in the report....</p>	<p>Compliant</p>	<p>Closed</p>	<p>Ngh environmental have completed a VIVR for AGL during September 2015 determining there were no issues impacting operations or commitments arising from this report:</p> <p><i>“The visual impacts at each of the receptors identified in the 2012 VIA were verified. The 2012 VIA did not identify any receptors as being highly impacted, therefore additional screening and landscape planting options are not required by the condition.”</i> (cited from Visual Impact Verification Report – Nyngan Solar Farm, ngh environmental, September 2015, Rev. 1)</p>
<p>Part B. Environmental Performance Visual Amenity <b>B20. Landscaping Requirements</b></p>	<p>The Applicant shall ensure that any permanent buildings and overhead transmission lines are designed and constructed to minimise visual intrusion to nearest sensitive receptors as far as reasonable and feasible, including appropriate external finishes and landscape planting to screen views.</p>	<p>Compliant</p>	<p>Closed</p>	<p>The landscape management plan (CEMP-G) defines colours of the permanent structures (page 12) "Pueblo Tan". The same plan describes the requirements for the plantings. The plantings are an AGL responsibility and have been scheduled for August/September 2015. AGL confirm that landscaping will be complete post construction with the involvement of the local community as per the CCC meetings.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Part B. Environmental Performance Visual Amenity</p> <p><b>B21. Rehabilitation and Revegetation</b></p>	<p>The Applicant shall implement a revegetation and rehabilitation program for all areas of the development footprint which are disturbed during the construction of the development but which are not required for the ongoing operation of the development including temporary construction facility sites and sections of construction access roads. The Applicant 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 Director-General, the Applicant 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 Director-General) as being well established, in good health and self-sustaining.</p>	<p>Compliant</p>	<p>Ongoing</p>	<p>Completed forms H02 Rehabilitation and Revegetation Photo records demonstrate natural reseeding is occurring on the site.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>Note that there is no requirement for native revegetation rehabilitation on the construction footprint.</p> <p>In relation to the rehabilitation in the areas south of the Barrier Hwy, Edwin Munian from CPP has indicated that CPP will be engaging a suitable expert as soon as approved by AGL to advise whether revegetation is of good health and self-sustaining in that location (as advised by email to T. Guerin FS, from E. Muniun, CPP, 12/11/2015).</p> <p>Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site) when the landscaping planting success is determined (expected to be after any replantings required for the landscaping in H1 2017).</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Part B. Environmental Performance Noise - Construction</p> <p><b>B22. Construction Noise</b></p>	<p>Construction activities associated with the development shall be undertaken during the following standard construction hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</p> <p>(b) 8:00am to 1:00pm Saturdays; and</p> <p>(c) at no time on Sundays or public holidays.</p> <p>Except unless otherwise provided in condition B23.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Construction hours have been extended beyond these hours as per conditions B23 with approval letter from Project Environmental Representative (ER) dated 13.11.2014.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part B. Environmental Performance Noise - Construction</p> <p><b>B23. Construction Noise</b></p>	<p>Construction works outside of the standard construction hours identified in condition B22 may be undertaken in the following circumstances:</p> <p>(a) construction works that generate noise that is:</p> <p>(i) no more than 5 db (A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009); and</p> <p>(ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of</p>	<p>Compliant</p>	<p>Closed</p>	<p>FS has conducted noise monitoring across the site and at each of the closest receptors on a weekly basis including during post-pounding. Based on the monitoring record, less than 10% of the times at which noise monitoring was conducted, was post-pounding audible (H01 - Noise Monitoring Form) however these levels did not exceed the background of non-construction noises.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>As part of routine noise monitoring, discussions have been held between the FS Environmental Manager with each of the closest neighbours (as per Aconex</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>Environment and Climate Change, 2009) at other sensitive receivers; or</p> <p>(b) for the delivery of materials required outside those hours by the NSW Police Force or other authorities for safety reasons; or</p> <p>(c) where it is required in an emergency to avoid the loss of life, property and/or prevent environmental harm</p> <p>(d) works as approved through the out-of-hours work protocol outlined in the Construction Noise Management Plan required under condition C3(d).</p>			<p>note from T Guerin FSolar-ACTION-000486 seeking Approval for Out of Hours Work 8/11/2014).</p> <p>No complaints have been forthcoming or have occurred regarding noise.</p>
<p>Part B. Environmental Performance Noise - Construction</p> <p><b>B24. Construction Noise</b></p>	<p>Any activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:</p> <p>(a) between the hours of 8:00 am to 5:00 pm Mondays to Fridays;</p> <p>(b) between the hours of 8:00 am to 1 :00 pm Saturdays; and</p> <p>(c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.</p>	<p>Compliant</p>	<p>Closed</p>	<p>According to SLR, distinction between noise types is irrelevant at distances (4.1 of sub plan).</p> <p>We note that post pounding has finished on Nyngan Project as of 21/11/2014.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	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.			
Part B. Environmental Performance Noise - Construction  <b>B25. Construction Noise</b>	The Applicant shall implement all reasonable and feasible measures to minimise noise generation from the construction of the development consistent with the requirements of the Interim Construction Noise Guideline (DECC, July 2009) including noise generated by heavy vehicle haulage and other construction traffic associated with the development	Compliant	Closed	There is a noise management plan that defines management noise. Reasonable and feasible measures are: training of all personnel in environmental and HS requirements to minimise impacts, communication with neighbours on works program, frequency of trucks entering and leaving the site has been insignificant (not warranted given negligible flows of road traffic).  We note that heavy haulage to and from site has finished at Nyngan Project as of May 2015.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
Part B. Environmental Performance Noise - Operation  <b>B27. Operational Noise Design</b>	The Applicant shall ensure that any overhead transmission line associated with the development is designed, constructed and operated to minimise the generation of corona and aeolian noise as far as reasonable and feasible at nearest existing sensitive receptors	Compliant	Closed	Addressed as compliant previously in the Pre-Construction Compliance Report dated 28 March 2014.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
Standards - Overhead Transmission Line				
Part B. Environmental Performance Traffic and Transport  <b>B28. Road Dilapidation</b>	<p>Unless otherwise agreed by the Director-General, the Applicant shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:</p> <p>(a) Prior to the commencement of construction of the development, the Applicant shall commission a suitably qualified road infrastructure specialist to assess the condition of all local public roads proposed to be traversed by construction traffic associated with the development (including over-mass or over-dimensional vehicles) in consultation with the relevant road authority, and to identify any upgrade requirements to accommodate development traffic for the duration of construction (including culvert, bridge and drainage design; intersection treatments; vehicle turning requirements; and site access), having regard to traffic volumes. The Pre-Construction Road Report shall be submitted to the Director-General prior to the commencement of construction works, clearly identifying recommendations made by the relevant road authority and how these have been addressed. The Applicant shall</p>	Compliant	Closed	<p>A pre-construction road report prepared by BECA was submitted to DPE accompanying the pre-construction compliance report. The letter concludes “BECA considered that, in consultation with the Bogan Shire Council, pre-construction upgrade works are not warranted, given the relatively low volume of movements, the nature of the movements and the condition of infrastructure along the route”.</p> <p>BECA (2013) Nyngan Solar Power Station – Pre Construction Road Assessment.</p> <p>Road dilapidation report that pre-dates construction has been prepared by BECA and notes consultation with Bogan Shire Council. First Solar and AGL have received peer review comments from SKM that indicate the report is suitable to address the requirements of CoC 28b) and reported that the report was submitted to Bogan Council for review. AGL and First Solar report that local road impacts (if any) are related to the operation of the accommodation camp and will be addressed in accordance with the separate consent covering the camp.</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>ensure that all upgrade measures identified in the report are implemented to meet the reasonable requirements of the relevant road authority, prior to the commencement of construction, and at no cost to the relevant road authority;</p> <p>(b) upon determining the haulage route(s) for construction vehicles associated with the development, and prior to construction, an independent and qualified person or team shall undertake a Road Dilapidation Report. The report shall assess the current condition of relevant local road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the development. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage;</p> <p>(c) following completion of construction, a subsequent report shall be prepared to assess any damage that may have resulted from the construction of the development; and</p> <p>(d) measures undertaken to restore or reinstate roads affected by the development shall be undertaken in a timely manner, in accordance with the reasonable requirements</p>			<p>The report does not include mechanisms to restore any damage that may result from the project but does recommend that the pavements be periodically monitored during the construction period.</p> <p>First Solar prepared a post-construction road dilapidation report on 17/12/2015 showing that there had been no discernible change or damage to the roads as a result of the construction activities. This report was accepted by the Bogan Shire Council (refer email from Graeme Bourke, Manager Engineering Services, Bogan Shire Council 29/1/2016 to T. Guerin, First Solar)</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	of the relevant road authority, and at the full expense of the Applicant.			
Part B. Environmental Performance Traffic and Transport  <b>B29. Road Dilapidation</b>	The intersection of the site access road and the Barrier Highway shall be upgraded prior to the commencement of construction to the satisfaction of the RMS and at no cost to the relevant road authority.	Compliant	Closed	<p>Construction commenced on the basis of RMS emails dated 18 March 2014 agreeing that the intersection was suitable in its current form but that it would ultimately be upgraded.</p> <p>AGL subsequently received approval of detailed design and approval to construct intersection upgrades. Site visit confirmed that intersection has been upgraded and AGL is currently applying for practical completion of works from RMS.</p> <p>RMS email dated 18 March 2014 included in Pre-Construction Compliance Report.</p> <p>RMS letter dated 19 March 2014 titled Nyngan Solar Plant – Barrier highway Site Access Detailed Design Review.</p> <p>RMS letter dated 4 July 2014 titled Nyngan Solar Plant – Barrier Highway Site Access Approval to Commence Construction.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Part B. Environmental Performance Heritage</p> <p><b>B30. Heritage Impacts</b></p>	<p>If during the course of construction, the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with the National Parks and Wildlife Act 1974. In addition, registered Aboriginal stakeholders shall be informed of the finds. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with the OEH and the registered Aboriginal stakeholders and written authorisation from the OEH is received by the Applicant.</p>	<p>NT</p>	<p>Ongoing</p>	<p>The site has an Aboriginal Heritage Management Plan (Sub plan J of the CEMP) which requires that all site personnel are trained in awareness and understanding of aboriginal heritage issues. A key control in this plan is the stopping of work if any artefacts or remnants with a potential Aboriginal heritage are identified. In the weekly environmental inspection, such interventions are captured as part of the inspection checklist. During construction, no such artefacts were identified.</p>
<p>Part B. Environmental Performance Heritage</p> <p><b>B31. Heritage Impacts</b></p>	<p>If during the course of construction, the Applicant becomes aware of any unexpected historical relic(s), all work likely to affect the relic(s) shall cease immediately and the Heritage Office notified in accordance with the Heritage Act 1977. Works shall not recommence until the Applicant receives written authorisation from the Heritage Office.</p>	<p>NT</p>	<p>Ongoing</p>	<p>The site has a Historical Heritage Management Plan (Sub-plan K of the CEMP) which requires that all site personnel are trained in awareness and understanding of aboriginal heritage issues. A key control in this plan is the stopping of work if any artefacts or remnants with a potential Historical heritage are identified. In the weekly environmental inspection, such interventions are captured as part of the inspection checklist. During construction, no such artefacts were identified.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
Part B. Environmental Performance  <b>B32. Easement</b>	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, is to be created prior to commencement of energy generation at the site.	Compliant	Closed	Determination of Compensation noted that acquisition of Easement of lot 7300 in DP1156652 occurred on 3 October 2014 for the value of \$987.70.  NSW Valuer General Determination of Compensation notice (VOG-TD-00002).
Part B. Environmental Performance  <b>B33. Fencing</b>	The Applicant shall consult with the relevant landowner(s) adjoining the access road (inclusive of the owner of the property known as "Redlands" who utilises the adjoining road reserve) regarding any additional fencing required along the site access road to ensure any livestock is protected from collision risks. Unless otherwise agreed by the Director-General, the Applicant must install a stock proof fence along the western boundary of Lot 24 DP 751328, or implement other feasible means of protecting livestock from collision risks, where required by the relevant landowner, prior to construction, at the full cost of the Applicant.	Compliant	Closed	Stock fence visually observed to be in place.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C2. Construction Environmental Management Plan (CEMP)</b></p>	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan in consultation with Council in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) or any replacement guideline. No construction associated with the development shall commence until written approval of this plan has been received from the Director-General or his nominee. The Plan must include: The Applicant shall prepare and implement a Construction Environmental Management Plan in consultation with Council in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) or any replacement guideline. No construction associated with the development shall commence until written approval of this plan has been received from the Director-General or his nominee. The Plan must include:</p> <p>(a) a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;</p>	<p>Compliant</p>	<p>Closed</p>	<p>The First Solar CEMP was approved by DPI in a letter dated 24/3/14.</p> <p>Two internal audits were conducted to assess the level of implementation of the CEMP as per Appendix T of the CEMP that requires and audit to be conducted within 3 months of the project and every six months thereafter.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>First Solar notes that several minor updates were made to the CEMP to improve the utility of the document and to ensure it was compliant to the approval conditions (in practise) and these changes were accepted by the Project ER during the course of the construction period.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(b) identification of the potential for cumulative impacts with other construction activities occurring in the vicinity and how such impacts would be managed;</p> <p>(c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;</p> <p>(d) statutory and other obligations that the Applicant is required to fulfil during construction including all relevant approvals/consents, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>(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;</p> <p>f) a description of the roles and responsibilities for all relevant employees involved in the construction of the development including relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and</p>			



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>compliance obligations under these conditions of consent;</p> <p>(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</p> <p>(h) specific consideration of relevant measures identified in the documents referred to under conditions A2b) and A2c) of this consent;</p> <p>(i) the additional requirements of this consent;</p> <p>(j) a complaints handling procedure during construction identified in conditions C13 and C14;</p> <p>(k) register of construction work hazards and the anticipated level of risk associated with each;</p> <p>(l) measures to monitor and manage soil and water impacts in consultation with NOW including: control measures for works close to or involving waterway crossings (including rehabilitation measures following disturbance</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>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;</p> <p>(m) measures to monitor and manage flood impacts in consultation with NOW;</p> <p>(n) measures to monitor and manage dust emissions including dust generated by traffic on unsealed public roads and unsealed internal access tracks;</p> <p>(o) emergency management measures including measures to control bushfires;</p> <p>(p) information on water sources, including details on sources and security of water supply and water use on site;</p> <p>(q) the Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, include the provision for a replacement dam. Details for any replacement dam must be prepared in consultation with OEH and NOW and submitted to the Director-General for approval prior to developing the dam; and</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	(r) incorporation of the plans identified in C3.			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C3. Construction Environmental Management Plan (CEMP)</b></p>	<p>As part of the Construction Environmental Management Plan required under condition C2 of this consent, the Applicant shall prepare and implement the following:</p> <p>(a) a Flora and Fauna Management Plan, developed in consultation with the OEH, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the development. The Plan shall include, but not necessarily be limited to:</p> <p>(i) plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations of EECs, native pasture; 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;</p> <p>(ii) methods to manage impacts on flora and</p>	Compliant	Closed	<p>The First Solar CEMP, which includes the Flora and Fauna Management Plan, was approved by DPE in a letter dated 24/3/14.</p> <p>CEMP Sub plan F Flora and Fauna Plan has been approved and implemented.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>fauna species and their habitat which may be directly or indirectly affected by the development, such as location of fencing, procedures for vegetation clearing or soil removal/stockpiling, procedures for rehabilitation of directly impacted native vegetation (where appropriate) and procedures for enhancing native habitat (such as re-Locating hollows or installing nesting boxes and managing weeds);</p> <p>(iii) procedures to accurately determine the total area, type and condition of vegetation community to be cleared; and</p> <p>(iv) a procedure to monitor the effectiveness of flora and fauna management, and review management methods where they are found to be ineffective.</p> <p>(b) a Ground Cover Management Plan, developed in consultation with an agronomist, 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:</p> <p>(i) procedures to minimise disturbance to ground cover not impacted by the development;</p>			<p>CEMP – I Ground Cover Management Plan has been approved by DPE (24.03.2014) and is being implemented on site.</p> <p>Compliance confirmed by Independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(ii) procedures for the stabilisation, rehabilitation and revegetation of disturbed ground cover including reference to field trials where required;</p> <p>(iii) weed management measures to control and prevent the spread of noxious weeds</p> <p>(iv) monitoring methods to assess the impact of the development on the ground cover vegetation;</p> <p>(v) a procedure to review management methods where they are found to be ineffective</p> <p>(c) a Landscape Plan, to minimise visual impacts from the solar plant. The Plan shall include, but not necessarily be limited to:</p> <p>(i) identification of landscaping objectives and standards based on visual impacts;</p> <p>(ii) details of species used to enhance, mitigate and/or augment landscaping to minimise the visual impact of the development, particularly with respect to the impacts on nearby residences;</p>			<p>CEMP – G Landscaping Plan has been approved by DP&amp;I (24.03.2014) and AGL are progressing plans to undertake planting with local community.</p> <p>First Solar has included a revised landscape plan that incorporates the input from the local community and this has been included in the OEMP for the operations stage of the development (final version Rev2, submitted by FS to AGL in November 2015). The OEMP has been approved by DP&amp;E.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(iii) implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas; and</p> <p>(iv) a consultation strategy to seek feedback from affected residents and the interested community on the proposed landscape measures.</p>			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C3. Construction Environmental Management Plan (CEMP)</b></p>	<p>As part of the Construction Environmental Management Plan required under condition C2 of this consent, the Applicant shall prepare and implement the following:</p> <p>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:</p> <p>(i) details of construction activities and an indicative schedule for construction works;</p> <p>(ii) identification of construction activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;</p> <p>(iii) detail the requirements for Noise Impact Statement(s) for discrete work areas,</p>	<p>Compliant</p>	<p>Closed</p>	<p>The First Solar CEMP, which includes the Noise Management Plan, was approved by DPE in a letter dated 24/3/14.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>On 13 November 2014, the ER provided approval for works out of hours subject to the condition: "If there were to be any complaints, FS will stop work and return to normal hours; FS will continue noise monitoring"</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>including construction site compounds;</p> <p>(iv) detail what reasonable and feasible actions and measures would be implemented to minimise noise impacts;</p> <p>(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</p> <p>(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 B22 of this consent, 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 Director General'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 Director-General; and</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(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.</p>			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C3. Traffic Management Plan</b></p>	<p>(e) a Traffic Management Plan to manage traffic conflicts that may be generated during construction. In preparing the Plan, the Applicant shall consult with the Council and RMS. The Plan shall address the requirements of the relevant road authority and shall include, but not necessarily be limited to:</p> <p>(i) the origin, number, size, frequency and final destination of vehicles entering/exiting the site;</p> <p>(ii) loads, weights and lengths of haulage and construction related vehicles and the number of movements of such vehicles;</p> <p>(iii) the management and coordination of the movement of construction and personnel vehicles to the site and measures to limit disruption to other motorists,</p>	<p>Compliant</p>	<p>Closed</p>	<p>The First Solar CEMP, which includes the Traffic Management Plan which identifies the traffic movement requirements, was approved by DPE in a letter dated 24/3/14. The TMP includes the origin, number, size, frequency and final destination of vehicles entering/exiting the site.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(iv) scheduling of haulage vehicle movement to minimise convoy length or platoons. Consideration should be given to minimise the route length for road transport of [oversize?] al size and over mass loads to minimise the impact on traffic.</p> <p>(v) details of intersection improvement works in accordance with Austroads Guide to Road Design 2010 and RMS Supplements;</p> <p>(vi) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with;</p> <p>(vii) details of measures to minimise interactions between the development and other users of the roads such as the use of fencing, lights, barriers, traffic diversions etc;</p> <p>(viii) procedures to manage construction traffic to ensure the safety of the school bus and its passengers, inclusive of driver training and procedures to ensure the adequacy of the management measures;</p> <p>(ix) implement all reasonable and feasible measures to reduce the construction related traffic on the Barrier Highway and public roads between the site and the highway;</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(x) schedule construction vehicle movements on site to occur outside school bus hours;</p> <p>(xi) procedures to manage construction traffic to ensure the safety of livestock and to minimise disruption to livestock;</p> <p>(xii) speed limits to be observed along routes to and from the site and within the site and access road; and</p> <p>xiii) details of the expected behavioural requirements for vehicle drivers travelling to and from the site and within the site.</p>			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C3. Aboriginal Heritage Plan</b></p>	<p>(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:</p> <p>(i) details of further archaeological investigations and/or salvage measures to be carried out prior to construction;</p> <p>(ii) procedures for the management of identified objects within the development site;</p> <p>(iii) procedures for dealing with unidentified objects and/or human remains;</p>	<p>Compliant</p>	<p>Closed</p>	<p>The First Solar CEMP, which includes the Aboriginal Heritage Management Plan (AHMP), was approved by DPE in a letter dated 24/3/14.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(iv) Aboriginal cultural heritage induction processes for construction personnel; and</p> <p>(v) procedures for ongoing Aboriginal consultation and involvement.</p> <p>Upon receipt of the Director-General's approval, the Applicant shall provide a copy of the Plan to the relevant landowner as soon as practicable.</p>			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C4. Operational Environmental Management Plan</b></p>	<p>The Applicant shall prepare and implement an Operational Environmental Management Plan in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004), or any replacement guideline. The Plan shall include but not necessarily be limited to:</p> <p>(a) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to the operation of the development, including all consents, licences, approvals and consultations;</p> <p>(b) a management organisational chart identifying the roles and responsibilities for all relevant employees involved in the operation</p>	Compliant	Ongoing	This is incorporated into the Operations and Maintenance EHS Manual & OEMP Document (and has been approved by DP&E).

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>of the development;</p> <p>(c) overall environmental policies to be applied to the operation of the development;</p> <p>(d) standards and performance measures to be applied to the development, 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 consent are identified. In particular, the following environmental performance issues shall be addressed:</p> <p>(i) bushfire hazard and risk management;</p> <p>(ii) management and maintenance of offsets;</p> <p>(iii) inspection, monitoring and maintenance of all watercourse crossings;</p> <p>(iv) management measures for the site, including management of vegetation, soil erosion, dust weed control and landholder liaison.</p> <p>e) the environmental monitoring requirements outlined under this consent;</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(f) measures to monitor and manage flood impacts in consultation with NOW;</p> <p>(g) information on water sources, including details on sources and security of water supply and water use on site;</p> <p>(h) complaints handling procedures as identified in conditions C13 to C15;</p> <p>(i) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A2b) and A2c) of this consent; and</p> <p>(j) management policies to ensure that environmental performance goals are met and comply with the conditions of this consent.</p> <p>The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of Operation of the development or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant</p>			



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	shall make the Plan publicly available as soon as practicable and provide a copy of the Plan to the relevant landowner as soon as practicable.			
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C5. Biodiversity Offset Management Package</b></p>	<p>Following final design and prior to the commencement of construction, or as otherwise agreed to by the Director-General, the Applicant shall develop and submit a Biodiversity Offset Management Package for the approval of the Director-General. The package shall detail how the ecological values lost as a result of the development will be offset. The Biodiversity Offset Management Package shall be developed in consultation with the OEH and shall (unless otherwise agreed by the Director-General) include, but not necessarily be limited to:</p> <p>(a) an assessment of all native vegetation communities and threatened species habitat, supported by a suitable metric (such as the Biobanking Assessment Methodology), that will either be directly or indirectly impacted by the proposal;</p> <p>(b) the objectives and biodiversity outcomes to be achieved (including 'improve or maintain' biodiversity values), and the adequacy of the proposed offset considered;</p>	Compliant	Ongoing	<p>The First Solar CEMP, which includes the original Biodiversity Offset Management Plan (BOMP), was approved by DPE on 24.03.2014.</p> <p>The BOMP baseline was updated by ngh environmental in Q4 2015 (Report from ngh environmental 19/11/15 “Nynghan Solar Farm Compliance and Advice – Offset and revegetation monitoring”). A final report to AGL is expected in late February 2016.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>(c) the final suite of the biodiversity offset measures selected and secured including but not necessarily limited to;</p> <p>i) an offset proposal which is supported by a suitable metric method (such as the Biobanking Assessment Methodology);</p> <p>ii) details of the relative condition and values of communities on the offset site in comparison to those to be impacted;</p> <p>iii) proposed management actions and expected gains;</p> <p>(d) the monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including:</p> <p>i) the monitoring of the condition of species and ecological communities at offset locations;</p> <p>ii) the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>iii) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and</p> <p>(e) timing and responsibilities for the implementation of the provisions of the Package.</p> <p>Land offsets shall be consistent with the Principles for the use of Biodiversity Offsets in NSW (NSW Office of Environment and Heritage, June 2011). Any land offset shall be enduring and be secured by a conservation mechanism which protects and manages the land in perpetuity. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.</p> <p>Where monitoring referred to in condition (d) indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved.</p>			
Part C. Environmental Management, Reporting and	The Applicant shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that	Compliant	Ongoing	There have been no incidents on site that could be considered to be material environmental harm (as defined by environmental impact that requires the

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p>Auditing Reporting</p> <p><b>C8. Incident Reporting</b></p>	<p>has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>			<p>expenditure of \$10K for reparation). Environmental incidents on the site are reported through the Incident Management Process (CEMP-Subplan Q).</p> <p>Environmental events or hazards are captured using the Hazard Report Form (APP-CMP-20A). There have been a total of 3 environmental events at the site (not causing environmental harm).</p> <p>On 1 June 2015 Adam Mackett, Project Manager, AGL Energy Limited raised the requirement that, ‘any other incident associated with the development’ requires the applicant notify the Director General (DG), with representatives from the NSW Department of Planning and Environment (DPE). In this correspondence AGL requested that DPE advise AGL on their interpretation of this condition.</p> <p>In the correspondence AGL identified that while the condition that the requirement to notify the DG could be interpreted as being broad, AGL were interpreting it in accordance with DPE Standard Model Conditions, that identifies an incident as a set of circumstances that: causes or threatens to cause material harm to the environment; and/or breaches or exceeds the limits or performance measures/criteria in this consent. This interpretation means a more pragmatic response to addressing the condition as the DG for</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
				<p>DPE will not be interested (nor should be concerned) about minor and non-material harm events.</p> <p>This revision has been made in the OEMP and this has been accepted by the DPE.</p>
<p>Part C. Environmental Management, Reporting and Auditing Reporting</p> <p><b>C9. Regular Reporting</b></p>	<p>The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.</p>	<p>Compliant</p>	<p>Ongoing</p>	<p>General environmental performance is communicated via the CCC and AGL website.</p> <p>The CEMP does not provide for any reporting other than those that follow in C10 – C16.</p> <p>This condition requires that the applicant ‘provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.’ This will include results of the Independent audit of 14-15 May (ERM June 2015).</p> <p>During the construction phase of the project AGL has maintained the Nyngan Solar Plant project website (<a href="https://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant">https://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant</a>). The “Community Matters” page has been updated to include the community consultation committee (CCC) information and the “News” page has been updated to show media releases.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
				This commitment continues into the operations stage of the development.
Part C. Environmental Management, Reporting and Auditing Community  <b>C10. Community Information, Consultation and Involvement</b>	Subject to reasonable confidentiality requirements, the Applicant shall make all documents required under this consent available for public inspection on request.	Compliant	Closed	AGL have not had any requests for documentation.
Part C. Environmental Management, Reporting and Auditing Community  <b>C11 Provision of Electronic Information</b>	Prior to the commencement of construction, the applicant shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the development. The Applicant shall publish and maintain up to-date information on this website or dedicated pages including, but not necessarily limited to:....	Compliant	Closed	See comments for C9.  During the construction phase of the project AGL has maintained the Nyngan Solar Plant project website ( <a href="https://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant">https://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant</a> ). The “Community Matters” page has been updated to include the community consultation committee (CCC) information and the “News” page has been updated to show media releases.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<b>C12 Community Information Plan</b>	Provide a Community Consultation Plan	Compliant	Closed	<p>This is provided in the OEMP.</p> <p>During the construction phase of the Nyngan Solar Plant AGL has held regular community consultation committee (CCC) meetings which were open to the public. This information is available on the project website.</p>
Part C. Environmental Management, Reporting and Auditing Community  <b>C13. Complaints Procedure</b>	<p>Prior to the commencement of construction, the Applicant shall ensure that the following are available for community complaints for the life of the development (including construction and <b>operation</b>) or as otherwise agreed by the Director-General:</p> <p>a) a 24 hour telephone number on which complaints about construction and <b>operational</b> activities at the site may be registered;</p> <p>b) a postal address to which written complaints may be sent; and</p> <p>c) an email address to which electronic complaints may be transmitted.</p>	Compliant	Closed	<p>AGL has made these contact mechanisms available through its project website, CCC meetings, local newspaper and site project notice board.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
Part C. Environmental Management, Reporting and Auditing Community	The Applicant shall record details of all complaints received through the means listed in condition C13 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:	Compliant	Closed	<p>As of June 2015, two complaints had been received on the project by AGL. A role of AGL's Community Consultation Manager is to capture and record any complaints from the community.</p> <p>The CEMP has a register of complaints. It is noted</p>



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
<p><b>C14. Complaints Procedure</b></p>	<p>a) the date and time, of the complaint;</p> <p>b) the means by which the complaint was made (telephone, mail or email);</p> <p>c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) any action(s) taken by the Applicant in relation to the complaint, including timeframes for implementing the action; and</p> <p>f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</p> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>			<p>that First Solar's Environmental Manager (on site) also keeps a register however as of June 2015 there have been no environmental complaints reported to First Solar.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>Part C. Environmental Management, Reporting and Auditing Community</p> <p><b>C15. Complaints Procedure</b></p>	<p>The Applicant shall provide an initial response to any complaints made in relation to the development 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 C14. Any</p>	<p>Compliant</p>	<p>Closed</p>	<p>Both complaints received have been closed out by AGL (see above).</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	subsequent detailed response or action is to be provided within two weeks.			
<p>Part C. Environmental Management, Reporting and Auditing Compliance</p> <p><b>C16. Compliance Tracking Programme</b></p>	<p>Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:</p> <p>a) provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, prior to the commencement of operation of the development and within two years of operation commencement;</p> <p>b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011 :2003 -Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;</p> <p>d) mechanisms for recording environmental</p>	Compliant	Closed	<p>A compliance tracking plan (CTP) was developed by FS and was used to track compliance against each approval condition and was reviewed with the Project ER on a regular basis and in particular during monthly site visits (coinciding with monthly ER Inspections).</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ CLOSED	EVIDENCE
	<p>incidents and actions taken in response to those incidents;</p> <p>e) provisions for reporting environmental incidents to the Director-General during construction and operation; and</p> <p>f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.</p>			

**3 COMPLIANCE WITH PRE-OPERATIONAL REVISED MITIGATION MEASURES**

**Compliance status key:** C = Compliant, I = Indeterminate, NT = Not Triggered, ER = Environmental Representative, WEAC = Worker Environmental Awareness and Compliance Training (Version 3), NA = Not Applicable

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 1. <b>Supplementary Flora Surveys</b>	A Supplementary survey during spring (early October) prior to the transmission line design would be conducted to confirm if threatened flora species including the Red Darling Pea Pine Donkey inhabit the higher quality woodland vegetation south of the Barrier Highway. If these species are identified in areas proposed for impact, transmission infrastructure would be microsited with input from an ecologist to ensure a significant impact is avoided. If unavoidable, all habitat areas of suitable habitat within the easement would be included as additional permanent impact areas and would be added to the total area required to be offset.	Compliant	Closed	This was addressed previously in Pre-Construction Compliance Report (23.03.2014).
REMM - 2. <b>Impact on Grey-crowned Babbler nest sites</b>	Grey-crowned Babbler nest sites identified in figures 4-7 of the Biodiversity Assessment would be protected from impact during infrastructure siting and design process.	Compliant	Closed	The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall identified 3 Grey Crowned Babbler nests which were cleared prior to the tree felling along the former East-West tree corridor.  A trained fauna handler was on site during the clearing.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				<p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>Nests, now located in Area 2, have been checked on a monthly basis during construction. These will continue to be monitored, but on a less frequent basis, during the operations stage.</p>
<p>REMM - 3.</p> <p><b>Pre-clearance Surveys</b></p>	<p>Pre-clearance surveys would be conducted prior to felling hollow-bearing trees.</p>	<p>Compliant</p>	<p>Closed</p>	<p>The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall describes pre-clearance surveys conducted prior to the tree felling along the former East-West tree corridor.</p> <p>A trained fauna handler was on site during the clearing.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 4.</p> <p><b>Tree Protection Standards</b></p>	<p>Works would avoid impacts to mature trees that are to be retained. Tree protection Standards would comply with Australian Standard AS 4970-2009 Protection of trees on development sites (Standards Australia 2009) Wherever practicable, excavations and vehicle/machinery movements would occur outside the canopy drip line of large eucalypts.</p>	<p>Compliant</p>	<p>Closed</p>	<p>All felled trees have been retained on site. All mature trees were protected during construction. The area where trees were closest to construction (other than the east-west treeline across Blocks 3 &amp; 4) was during the trenching and AC cable installation on the southern end of Area 2 (and between Block 3 &amp; 4). One tree was removed from road verge where trenching occurred. The site Environmental Manager was present during this work. No other works was done within tree protection zones or structural root zones of any standing trees on the site (as defined within AS 4970-2009).</p> <p>Refer to Stakeholder Engagement Note written by Environmental Manager on 28/5/2015 explaining the tree protection measures put in place in the AC cable installation area.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 5. <b>Removal of East-West Vegetation</b>	Removal of the east-west strip of vegetation must be conducted outside of the breeding season of the Grey-crowned Babbler (June to February) unless the nests have been confirmed to be inactive.	Compliant	Closed	The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall describes the pre-clearance activity as part of the tree felling along the former East-West tree corridor describing how the works were done in April and May (outside of the breeding season), when this species was not active.
REMM - 6. <b>Restoration of Habitat</b>	<p>Restoration of habitat: Hollows from felled hollow-bearing trees would be salvaged and placed in retained trees or on poles in adjacent habitat. For each hollow salvaged, a nest box would also be installed to offset the loss of habitat.</p> <p>Where it is not deemed to be a fire hazard, timber from cleared trees (coarse woody debris - CWD - including logs) is to be relocated into areas of adjacent woodland to provide foraging habitat for species such as Grey-crowned Babblers and other ground dwelling fauna. CWD would be scattered evenly across the relocation areas, not piled or windrowed.</p> <p>Cleared native vegetation not likely to provide habitat would be mulched rather than burned.</p>	Compliant	Closed	<p>Hollows and nest boxes have been installed in trees, and numerous hollows remain attached to trees and at ground level. All CWD now scattered in Area 2, and felled trees distributed in Area 2 (as advised in the "CWD Management Plan" June 2014 by NatureCall).</p> <p>No burning of native vegetation occurred.</p> <p>Discussion with OEH ecologist in Dubbo in March 2015 (D. Geering) indicated intent of habitat restoration has been met and confirmed via a return email.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM -7. <b>Use of Existing Tracks</b>	Within areas of native vegetation, existing tracks would be used wherever possible to avoid compaction and/or disturbance.	Compliant	Closed	All traffic through the Area 2 is limited to HSE Team members on existing tracks and to heavy vehicle operators who are under the direction of the Environmental Lead at all times. Signage has been placed strategically around Area 2 fence indicating "A no Go Zone".  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 8. <b>Onsite Traffic Management Measures</b>	Traffic management measures would be incorporated into the construction and operation phase and would address traffic flow, vehicle speed and vehicle numbers entering and leaving the site. This would aim to prevent collisions with fauna utilising the site, particularly Grey-crowned Babblers.	Compliant	Closed	Vehicle speed is set at 40 km/h on main access road and 30 km/hr on all others unless marked 15 km/hr. Speeds around the offices and in alleys is limited to 15 km/h. Speed is monitored by FS team members and all site leadership. Pre-starts are used to communicate speed limits and general driver requirements around the site (refer to examples in HSE System, Communications folder on "Power"). The WEAC, Driver Induction Training and Visitor Induction also provides training on speed limits.  Although numerous fauna interaction reports were provided and recorded in the CEMP records (>50), of vehicle/fauna interactions, it is noted that no Grey Crowned Babblers have been impacted.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 9. <b>Topsoil Storage</b>	Excavated topsoil would be stored separately from subsoil and replaced in a manner that replicates the original profile as closely as possible to assist rapid revegetation.	Compliant	Closed	Segregation of topsoil and subsoil during trenching was inspected as part of the Monthly ER inspection (29 July 2104) and was closed as compliant during following inspection (19 August 2014) and reported as compliant in ER Monthly Inspection No. 8 (19 August 2014). This requirement has been communicated extensively to field supervisors.



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				<p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 10. <b>Site Stabilisation, Rehabilitation and Revegetation</b></p>	<p>Site Stabilisation, Rehabilitation and Revegetation would be undertaken progressively during works, to ensure that soils are stabilised as soon as practical. This would minimise weed infestation, sedimentation and erosion, which degrade habitat.</p>	<p>Compliant</p>	<p>Ongoing</p>	<p>Evidence of rehabilitation in the form of ripping of compacted areas and natural seed strike has been observed on site.</p> <p>Form H01 - Groundcover Monitoring Record has been used extensively across the areas required to be rehabilitated since these areas were ripped and graded in April 2015. It is noted that as of June 2015, these records show that seedling emergence is occurring in many of the monitored areas.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p> <p>Ripping of compacted hard stand areas and application of mulch (shredded packaging materials) occurred in December 2015.</p> <p>Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site) when the landscaping planting success is determined (expected to be after any replantings required for the landscaping in H1 2017).</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<p>REMM - 11.</p> <p><b>Footprint Minimisation</b></p>	<p>Disturbed areas would be identified and used preferentially for vehicle and machinery access, materials laydown, stockpiling of cleared vegetation and the deposition and retrieval of spoil whenever practicable, to minimise the footprint of the development on intact native-dominated areas.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Disturbed areas are used preferentially for vehicle and machinery access and this is communicated in the WEAC, through pre-starts, and site drawings with the Limits of Disturbance lines marked on them have been provided to the primary contractor (WBHO). Compliance is monitored during weekly and monthly environmental inspections. Disturbed areas are also used for materials laydown areas and vehicle servicing or wash-down areas.</p> <p>To monitor and manage these risks, an Excavation Permit and accompanying Ground Disturbance Checklist must be completed and signed off by the Site Environmental Manager/Lead before any disturbance can occur on site (refer to e.g. record of Permit No. EX147). This permit has been used extensively since its introduction in 2014. The driver for this was from the Projects Environmental Representative (ER) inspection on 26/27 June 2014 which raised an issue of the project lacking an adequate change management process for soil disturbance outside of the construction footprint. The permit system was changed and the ER closed the item on 15/9/2014.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 12.</p> <p><b>Weed Management Plan</b></p>	<p>A weed management plan would be developed for the site, guided by the measures set out in the Biodiversity Assessment.</p>	<p>Compliant</p>	<p>Ongoing</p>	<p>As part of the approvals process, a Groundcover Management Plan was developed (included in CEMP). Weed surveys have been conducted on the site by First Solars Environmental Manager and the former landowner, Will Carter, on 30/6/14 (to assess baseline) and on 2/9/14. Weed control activities have been conducted under a JHA ("Slash and Spray Weeds" No. 50 25/4/14) and individual events recorded in the register Form 101.</p> <p>Regular weed monitoring including details of control methods have</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				been recorded since June 2014 to May/June 2015 using CEMP Form I-01 Weed Management Activities and Controls.
REMM- 13. <b>Perimeter Security Fence</b>	Perimeter security fencing will feature heavy duty fabric to increase visibility to fast flying parrots.	Compliant	Closed	To meet the intent of this mitigation measure, bird strike deterrents have been installed along the security fence line. This has been documented as complied with in the Monthly Project ER Inspection No. 9 (Closed 15/9/14).  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 14. <b>Trenching and Vegetation</b>	Where trenches are to be excavated and backfilled in well vegetated native areas, whole sods would be removed, stored in moist, shaded conditions and replaced following the works. Sod storage would be minimised and sods would be replaced in a manner that maximises the chances of re-establishment and soil stabilisation.	Compliant	Closed	Segregation of topsoil (including sods) and subsoil during trenching was inspected as part of the Monthly ER inspection (29 July 2014) and was closed as compliant during following inspection (19 August 2014) and reported as compliant in ER Monthly Inspection No. 8 (19 August 2014). This requirement has been communicated extensively to field supervisors.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 15 <b>Onsite Dam</b>	If the dam in the south of the solar plant site is removed during the works, an alternative watering point would not be established on the proposal site.	Compliant	Closed	Note that dam has not been affected as part of the project.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM – 16. <b>Trenching and Fauna Entrapment</b>	Trenches would be left open for the least time practical and would be inspected for trapped fauna prior to back filling. Any trench sections overnight would be inspected early in the morning and any trapped fauna removed.	Compliant	Closed	Trench inspection forms (Form F01) have been completed for trenching across the site. E.g. DC cable trenching in Blocks 1 & 2 (see completed forms 5/11/14, 19/10/14, 1/10/14)  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 17. <b>Ground Cover Management Plan</b>	A ground cover management plan would be developed as outlined in the Biodiversity Assessment Plan	Compliant	Ongoing	The First Solar CEMP, which includes the Ground Cover Management Plan, was approved by DPE in a letter dated 24/3/14.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.  A final (revised) version of the BOMP will be developed by ngh environmental and provided to AGL by the end of Q1 2016.  See REMM 21.
REMM - 18. <b>Weed Control Between Arrays (Operational Phase)</b>	The space between the PV array rows would be kept clear to enable access by vehicles for ongoing weed control, and pasture renovation, if required.	Compliant	Ongoing	There is significant space between the arrays to allow for weed management works.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 19. <b>Nesting Boxes and Salvaged Hollows</b>	Nest boxes and salvaged hollows remounted during the construction phase would be routinely inspected to check the integrity of the structures and remedy them if required.	Compliant	Ongoing	Nest boxes were monitored using Form F01 starting on 15/11/2014 and continuing through to April 2015. Boxes remain integral.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<p>REMM - 20.</p> <p><b>Rehabilitation of Native Vegetation</b></p>	<p>Areas of native vegetation that were impacted by the proposal would be rehabilitated to a level that demonstrates an increase in the environmental values of the site compared to its pre-operational state. A rehabilitation plan would be prepared that includes ongoing monitoring to ensure native vegetation rehabilitation is successful for the long-term. The plan would be developed prior to decommissioning and would be developed in partnership with relevant agencies.</p>	<p>Compliant</p>	<p>Ongoing</p>	<p>There is a rehabilitation management plan in the CEMP (sub plan H). The rehabilitation measures specified in this mitigation measure are not yet triggered.</p> <p>Bare soil areas on the site that were compacted as a result of construction activities were ripped and/or had a soil amendment applied in December 2015. This included placement of mulch made from readily degradable shredded packing materials (approved by NSW EPA DOC15/418089 on 6/11/2015).</p> <p>In relation to the rehabilitation in the areas south of the Barrier Hwy, Edwin Munian from CPP has indicated that CPP will be engaging a suitable expert as soon as approved by AGL to advise whether revegetation is of good health and self-sustaining in that location (as advised by email to T. Guerin FS, from E. Muniun, CPP, 12/11/2015).</p> <p>Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site) when the landscaping planting success is determined.</p>
<p>REMM - 21.</p> <p><b>Offset Plan</b></p>	<p>An offset plan would be developed with input from OEH and the CMA and according to the strategy provided in Appendix G of the Biodiversity Assessment. It would be finalised prior to any construction impacts, as outlined in the Biodiversity Assessment. The objective of offsetting is to ensure that an overall "maintain or improve" outcome is met for the project;</p>	<p>Compliant</p>	<p>Closed</p>	<p>An offset plan has been developed and approved and is included in the CEMP.</p> <p>The BOMP was updated by ngh environmental in September 2015 (email provided to T. Guerin, FS, from A. Mackett, AGL, 2/11/2015).</p> <p>Post construction completion NGH ENVIRONMENTAL visited site on 8-9 September 2015 to validated the actual disturbance area of the final infrastructure footprint (Report from ngh environmental to AGL 24/9/15 "Nyngan Solar Farm Compliance and Advice – Impact area validation"). Ngh environmental has confirmed that the existing</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	where impacts cannot be avoided, or sufficiently minimised, the residual impact would be offset in perpetuity.			offset area captured in the Property Vegetation Plan (PVP) is consistent with initial approval from the Office of Environment & Heritage. NGH visited the solar plant site in early November 2015 and the offset site in early December 2015 to complete a baseline assessment of the offset areas (Report from ngh environmental 19/11/15 “Nyngan Solar Farm Compliance and Advice – Offset and revegetation monitoring”). Final report to AGL is expected in late February 2016.
REMM - 22. <b>Offset Plan Validation</b>	Prior to finalising the Offset Site Boundaries, the proponent would validate the area impacted by construction to ensure that the actual, not estimated, impact area is offset.	Compliant	Closed	Area impacted by construction now validated in report from ngh environmental to AGL 24/9/15 “Nyngan Solar Farm Compliance and Advice – Impact area validation”). NGH ENVIRONMENTAL’s report has confirmed that the existing offset area is consistent with initial approval from the Office of Environment & Heritage.
REMM - 23. <b>Offset Plan Management Reporting</b>	The Offset Site Management Actions and their outcomes would be reported every two years to the Department of Planning and Infrastructure for the duration of the project (up to 30 years) to demonstrate that a "maintain or improve" outcome has been met.	NT	Ongoing	A baseline assessment of the (offsite) offset area is being development following site inspections by ngh environmental in late 2015. This report from ngh environmental is expected by the end of Q1 2016.  The offset areas will continue to be monitored every two years.
REMM - 24. <b>Discovery of Human Skeletal Remains</b>	If human skeletal remains are found during the activity, work in the area of the remains would stop immediately, the area would be secured to prevent unauthorised access and the NSW Police and OEH would be contacted.	Compliant	Closed	The WEAC training provides specific training to all site personnel that they are required to stop work in the event that they identify any object that may have a human origin, and to report this to their supervisor who in turn must advise Solar Management. No such discovery of artefacts has occurred on site to date.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 25. <b>Substation and Office Building Design</b>	The substation and office building would be designed to accommodate 1:100 year flood and be located in the south-west of the site, outside the inundation zone (Figure 6-1 of the EIS)	Compliant	Closed	This condition was identified in the EIS and incorporated into the design documentation.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 26. <b>Employee and Contractor Inductions</b>	The employee and contractor induction would inform all site personnel about noise management measures, construction hours and nearest sensitive receivers.	Compliant	Closed	The WEAC training provides specific training to all site personnel on the likely sources of noise e.g. post pounding, the work hours, and the nearest sensitive receptors i.e. "Redlands", "Tikkara" and "Rutherglen".  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 27. <b>Management of Work Activities</b>	All employees are responsible for managing noise from their work activities and working in a manner to reduce noise.	Compliant	Closed	This is communicated as part of the WEAC.
REMM - 28. <b>Work Hours</b>	Works are to be carried out during standard work hours (i.e., 7am to 6pm Monday to Friday; 8am to 1pm Saturdays.) Any construction outside these normal working hours would only be undertaken with prior approval from relevant authorities. For works outside standard hours, inform affected residents and other sensitive land use occupants between 5 and 14 days before commencement.	NA	NA	



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 29.  <b>Work Hours and Noisy Activities</b>	Where reasonable and feasible, noisy activity would be carried out in the least sensitive time periods (to be determined through community consultation).	NA	NA	This requirement has been superseded by conditions of consent B22 – B23 (reported on earlier)
REMM - 30.  <b>Construction Noise Management Plan</b>	A construction noise management plan would be prepared as part of the Construction Environmental Management Plan. It would include provision for noise monitoring to be undertaken in the event a noise complaint is received to verify if target noise levels are exceeded at that receiver. If so, additional measures would be developed in consultation with the complainant.	Compliant	Closed	CEMP-L has been developed and approved by DP&E.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<p>REMM - 31.</p> <p><b>Community Consultation</b></p>	<p>Community consultation would be ongoing for residences within close proximity to the works. The information would include details of:</p> <p>(a) The proposed works</p> <p>(b) The duration and nature of the works during construction</p> <p>(c) What works are expected to be noisy</p> <p>(d) What is being done to minimise noise</p> <p>(e) When respite periods would occur</p> <p>(f) Regular updates on progress of works</p>	<p>Compliant</p>	<p>Closed</p>	<p>Noise generating activities had ceased on site at time of the audit. Refer to CoC B22 and B23 in regards to noise management which indicates limited potential for noise impact to occur has resulted from the project.</p> <p>Community consultation has been ongoing in accordance with the Community Consultation Plan approved by the Director General in association with the First Solar CEMP. This has included a bi-monthly community consultation committee meeting of which are available on the AGL website and to which residents are invited to attend.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<p>REMM - 32.</p> <p><b>Maintenance and Use of Equipment</b></p>	<p>Ensure equipment is operated and maintained in accordance with the manufacturer's instructions including replacement of engine covers, repair of defective silencing equipment, tightening of rattling components, repair of leakages in compressed air lines and shutting down equipment not in use.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Before plant and equipment can enter and operate on site, a plant and assessment checklist must be completed which ensures that plant and equipment are in good condition. Completed records (of Form APP-HCP-02E) are in First Solar's intranet "Power".</p> <p>Plant and equipment pre-start checklists are kept for all items of plant and machinery on site and these are completed on a pre-determined basis prior to use (refer to "Vehicle and Machine Prestarts" folder in HSE system in Power).</p> <p>Checklists for most plant items are submitted on a weekly basis to the Site HSE Administrator for storing on FS HSE system on "Power". Corrective maintenance items are communicated to the site maintenance superintendent or booked in for a service at an authorised mechanic in Nyngan.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 33.</p> <p><b>Noisy Equipment, Noise Sensitive Areas</b></p>	<p>Avoid the operation of noisy equipment near noise-sensitive areas and where possible, loading and unloading would be conducted away from sensitive areas.</p>	<p>Compliant</p>	<p>Closed</p>	<p>First Solar's works are noted as occurring 2km from the nearest residential receptor.</p> <p>No complaints have been made to First Solar in relation to construction noise.</p>
<p>REMM - 34.</p> <p><b>Position of Plant and Equipment</b></p>	<p>Position plant and equipment on site in a position that provides the most acoustic shielding from buildings and topography. Plant known to emit noise in one direction would be oriented where practicable to screen the emissions.</p>	<p>Compliant</p>	<p>Closed</p>	<p>No complaints have been made in relation to construction noise.</p> <p>Compliance as per REMM 30-33 above.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 35. <b>Multi-frequency Alarms</b>	Where feasible and reasonable install multi-frequency alarms on vehicles, taking into account the requirements of the Work Health and Safety legislation.	Compliant	Closed	Noted.  Multi-frequency alarms have not been installed on plant.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 36. <b>Traffic Noise Management</b>	Keep truck drivers informed of designated vehicle routes, parking locations, acceptable delivery hours or other relevant practice (for example, minimising the use of engine brakes, and no extended periods of engine idling).	Compliant	Closed	All heavy vehicle (HV) drivers coming onto site are given a Driver Induction (Form APP-SMP-11G) which describes designated vehicle routes, parking locations, acceptable delivery hours. Completed driver inductions are kept at: "Inductions and Orientations" in the EHS folder on "Power".  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 37. <b>Screening Vegetation</b>	To break up views of infrastructure, screening vegetation would be planted or allowed to regenerate in areas identified in Figure 6.1 of the Visual Impact Assessment	Compliant	Closed	AGL is planning to complete plantings in August/September 2015 and is being coordinated through community consultation committee (CCC).
REMM - 38. <b>Clearing of Vegetation</b>	Clearing of vegetation is to be minimised. Tree lines on the western, northern and eastern boundaries of the site retained and transmission route placed to allow this to occur.	Compliant	Closed	Compliant as built to plan. Clearing reports prepared according to CEMP.  Tree lines on northern, western and eastern boundaries have been retained.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<p>REMM - 39.</p> <p><b>Areas Disturbed and Natural Regeneration</b></p>	<p>All areas disturbed by the construction of the proposed transmission line and solar plant would be allowed to naturally regenerate and be monitored to ensure that regeneration has occurred. Where natural regeneration is unsuccessful, revegetation would be undertaken.</p>	Compliant	Closed	<p>As part of the approvals process, a Rehabilitation and Revegetation plan was developed (CEMP- Sub plan H). Rehabilitation plantings will be conducted in August/September 2015 when conditions are again favourable for plant growth.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 40.</p> <p><b>Colour of Above Ground Structures</b></p>	<p>The colour of above ground structures, including the construction site offices, would be sympathetic the landscape character of the site to minimise visual contrast.</p>	Compliant	Closed	<p>The landscape management plan (CEMP-G) defines colours of the permanent structures (page 12) "Pueblo Tan". The same plan describes the requirements for the plantings.</p> <p>See earlier comments on plantings.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>
<p>REMM - 41.</p> <p><b>Placement of Transmission Poles</b></p>	<p>The following principles would be considered regarding placement of poles near the Barrier Highway crossing to reduce their visual impact.</p> <p>(a) Setting poles as far back as possible from the road where the transmission line crosses the road</p> <p>(b) Arranging the poles so that the transmission line crossed the road at right angles.</p>	Compliant	Closed	<p>Refer to Preconstruction Compliance Report.</p> <p>It is noted that transmission lines do cross the road at right angles.</p> <p>gh environmental have completed a VIVR for AGL during September 2015 determining there were no issues impacting operations or commitments arising from this report (Visual Impact Verification Report – Nyngan Solar Farm, ngh environmental, September 2015, Rev. 1).</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	(c) Locating poles where they can be screened from view by existing vegetation (and adding in screening vegetation where needed).			
REMM - 42. <b>Air Quality Mitigation</b>	Air quality impacts would be addressed via the development of:  (a) Protocols to guide vehicle and construction equipment use, to minimise emissions.	Compliant	Closed	Assessed in accordance with conditions of consent B6.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 42. <b>Air Quality Mitigation</b>	Air quality impacts would be addressed vis the development of:  (b) Protocols to minimise and treat dust (water carts or similar).	Compliant	Closed	Assessed in accordance with conditions of consent B6.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 43. <b>Substations and Transmission Line Locations</b>	The substation and transmission lines would be located as far as practical from residences, Plant sheds, and yards in order to reduce the potential for both chronic and acute exposure to EMFs.	Compliant	Closed	Addressed previously in Preconstruction Compliance Report.
REMM - 44. <b>Design of Electrical Infrastructure</b>	Design of electrical infrastructure would minimise EMFs	Compliant	Closed	Addressed previously in Preconstruction Compliance Report.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 45. <b>Fencing Around Substation</b>	Fencing around the substation would be maintained to limit public access	Compliant	Closed	Noted. Security fencing has been erected.
REMM - 46. <b>Consultation with Neighbouring Landowners</b>	<p>Consultation with neighbouring land holders regarding any temporary impacts to access or risks to livestock.</p> <p>Additional specific mitigation may be required such as:</p> <p>(a) Additional fencing to protect livestock from collision risks.</p> <p>(b) Vehicle speed restriction on access roads.</p>	Compliant	Closed	<p>First Solar is present at the CCC meetings held bi-monthly. All issues raised by the community are discussed at these including any issues associated with the handling and protection of livestock.</p> <p>Livestock have not entered onto the construction site or outside of the Limits of Disturbance line.</p> <p>No further fencing is therefore required.</p> <p>Given that fauna have not been impacted by vehicle movements, nor have livestock strayed onto access roads, no further speed restrictions are considered necessary on the site (over and above the existing 40 km/h for main access road, 30 km/h for remainder of access roads, and 15 km/h for alleys).</p>
REMM - 47. <b>Consultation with Mineral Stakeholders</b>	Consultation with Mineral Stakeholders would be undertaken to inform them of the timing of works and infrastructure layout.	Compliant	Closed	Refer to Pre-construction Compliance Report.

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REMM - 48. <b>Payment for Easement</b>	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, would be created prior to commencement of energy generation at the site.	Compliant	Closed	Refer to Pre-construction Compliance Report.  As advised by A. Mackett, AGL in email to T. Guerin et al & ERM Auditor on 20/5/2015, compensation was paid by Essential Energy on behalf of AGL.
REMM - 49. <b>Community Consultation Plan</b>	A Community Consultation Plan would be developed to manage impacts to community stakeholders, including but not limited to:  (a) Protocols to keep the community updated about the progress of the project and project benefits  (b) Protocols to inform relevant stakeholders of potential impacts (haulage, noise etc.).  (c) Protocols to respond to any complaints received.	Compliant	Closed	Assessed in accordance with conditions of consent C12, C13, C14 and C15.  During the construction phase of the Nyngan Solar Plant AGL has held regular community consultation committee (CCC) meetings which were open to the public. This information is available on the project website.
REMM - 50. <b>Liaise with Local Industry Representatives</b>	Liaise with local industry representatives to maximise the use of local contractors, manufacturing facilities and materials.	Compliant	Closed	As part of the approvals process, a community consultation plan was prepared by First Solar (CEMP Sub plan R). This requires First Solar to participate in the Monthly CCC meetings where project progress and benefits are discussed. Minutes of these meetings are shared on the AGL website (homepage) for the project ( <a href="http://www.agl.com.au">www.agl.com.au</a> ).  WBHO advertised jobs in the local newspaper.



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 51. <b>Liaise with Local Accommodation Providers</b>	Liaise with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services.	Compliant	Closed	First Solar is currently using the services of several accommodation providers in Nyngan including (1) The Outback Hotel, (2) The Caravan Park, (3) The original camp location (on the Old Hospital Lease area) including the Nurses' Quarters.
REMM - 52. <b>Traffic Management Plan</b>  <ul style="list-style-type: none"> <li>• details of intersection improvement</li> <li>• risk analysis for oversize vehicles</li> <li>• repair of roads effected by oversize vehicles</li> <li>• Pre-construction road assessment</li> </ul>	<p>A Traffic Management Plan and Haulage Plan would be developed for construction traffic prior to commencing construction activities and would be approved by RMS and the DP&amp;I in consultation with Council. The plans shall address, but not necessarily be limited to:</p> <p>(a) The origin, number, size, frequency and final destination of vehicles entering/exiting the site</p> <p>(b) Loads, weights and lengths of haulage and construction related vehicles and the number of movements of such vehicles.</p> <p>(c) The management and coordination of the movement of construction and personnel vehicles to the site and measures to limit</p>	Compliant	Closed	<p>A traffic management plan (CEMP Sub plan O) has been prepared which details all aspects of the origin, number, size, frequency and final destination of vehicles entering/exiting the site. The TMP was reviewed and updated in the 5/11/14 revision of the CEMP (Rev G).</p> <p>Assessed in accordance with condition of consent C2 (e) (see above).</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
<ul style="list-style-type: none"> <li>Community consultation</li> </ul>	<p>disruption to other motorists, emergency vehicles and school bus time tables.</p> <p>(d) Scheduling of haulage vehicle movement to minimise convoy length or platoons. Consideration should be given to minimise the route length for road transport of all over size and over mass loads to minimise the impact on traffic.</p> <p>( e ) Details of intersection improvement works in accordance with Austroads Guide to Road Design 2010 and RMS supplements.</p> <p>(f) A full and independent risk analysis and inspection of the proposed transport route(s) with procedures for reporting and remediating any damages caused by oversize/over mass traffic.</p> <p>(g) A commitment from the proponent to provide funding for the maintenance and repair of any affected classified roads for the duration of transportation of oversize vehicles and loads, to the satisfaction of RMS.</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	<p>(h) Assessment of road condition prior to construction on all local roads that would be utilised.</p> <p>(i) Community consultation regarding traffic impacts where sensitive receiver exceedances are predicted.</p> <p>(j) Consideration of bus schedules (particularly school buses and Countrylink services) and safe interaction between buses and construction traffic incorporating:</p> <p>(i) Documented vehicle safety procedures regarding the school bus.</p> <p>(ii) Driver training requirements.</p> <p>(iii) Community consultation regarding impacts to bus routes.</p> <p>(k) traffic controls</p> <p>(l) procedure to monitor traffic impacts and adapt controls (where required) to reduce the impacts.</p> <p>(m) Provision of a contact phone number to enable any issues or concerns to be rapidly identified and addressed through appropriate procedures.</p>			

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	<p>(n) Reinstatement of pre-existing conditions, where required.</p> <p>( o ) Assessment of road routes to minimise impacts on transport infrastructure.</p> <p>(p) Scheduling of deliveries of major components to minimise safety risks (on other local traffic including buses)</p>			
<p>REMM - 53.</p> <p><b>Barrier Highway Road Corridor Upgrade</b></p>	<p>AGL would obtain all required permits and licences from RMS prior to conducting any work in the Barrier Highway road corridor, including, as may be required.</p> <p>(a) A works authorisation deed</p> <p>(b) A Road Occupancy Licence prior to any works commencing on or adjacent to the Barrier Highway.</p> <p>(c) Special permits (if necessary) for oversize/over mass vehicles.</p>	<p>Compliant</p>	<p>Closed</p>	<p>Noted. AGL has conducted works and is currently applying for practical completion of these works.</p> <p>Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.</p>

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 54.  <b>Installation of Gates and Grids</b>	AGL would install gates, grids or similar structures at least 20 metres from the edge of the road on the Barrier Highway to provide for suitable storage capacity for the largest class of vehicle accessing the site.	Compliant	Closed	Noted. No such storage is required at this stage of the development nor is likely to be required in the future.  See entry for REMM – 53 (above).
REMM - 55.  <b>Waste Management Plan</b>	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to:  (a) Identification of opportunities to avoid, reuse and recycle, in accordance with the waste hierarchy.	Compliant	Closed	First Solar has developed a waste management plan (CEMP sub plan U) which requires that wastes be managed according to the waste hierarchy. The main classes of waste by volume, mass and impact are those in relation to broken panels and PV module packaging.  Broken modules will be returned to the manufacturer and some used packaging is being re-used and recycled through a local disability services company and a waste management company.  3000 broken and return modules are being returned to recycle facility by waste management company, Remondis (1 truckload removed on 6/5/15).  An approval was obtained from EPA for onsite re-use of the main volume of chipped pallets and cardboard (used to safely deliver modules to site). This is provided in Letter from EPA on 6/11/2015 EPA Ref: DOC15/418098.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 55. <b>Waste Management Plan</b>	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to:  (b) Quantification and classification of all waste streams.	Compliant	Closed	A waste register is kept for all wastes collected in the WBHO and First Solar compound area. This is kept in the "Environmental Meetings & Records" Folder (uploaded to "Power").  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 55. <b>Waste Management Plan</b>	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to:  ( c ) Provision for recycling onsite.	Compliant	Closed	Segregation for construction wastes, and their collection for off-site disposal, is enabled through the provision of labelled bins in the WBHO compound area. These are inspected each week through the Weekly Environmental Inspection and ER Monthly Inspection.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM – 55 <b>Waste Management Plan</b>	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to:  (d) Provision of toilet facilities for onsite workers and how sullage would be disposed of (i.e., pump out to local sewerage treatment plant).	Compliant	Closed	There are several toilets located in the office compounds and these are pumped out by Sam's Liquid Waste (located in Dubbo) on a weekly or fortnightly (or as-required) basis.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 55. <b>Waste Management Plan</b>	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to:  ( e ) Provision of disposal at facilities permitted to accept the waste.	Compliant	Closed	Wastes are received by companies that have licences to accept the wastes that they collect from First Solar. Copies of these licences and related documents are kept in the "Environmental Records" Folder including the EPLs for Sam's Liquid Wastes and Access Recycling.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
				Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 56. <b>Excess Subsoil Disposal</b>	Excess subsoil would be removed from the site and disposed of at an appropriate fill storage site.	NT	NT	No subsoil has been removed offsite.
REMM - 57. <b>Excess Topsoil for Rehabilitation</b>	Excess topsoil would be retained and used in site rehabilitation.	Compliant	Closed	As per REMM – 9 all topsoil is currently earmarked for onsite use.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  ( a ) Management of activities with a high risk of fire ignition.	Compliant	Closed	CEMP-M has been approved by the Director General. CEMP records show evidence of engagement with RFS. The project uses a hot work permitting system. No hot works of any sort can be conducted without a valid permit being in place. Examples of recent hot work permits are in the "Environmental Records" Folder e.g. HW#031 Heat Shrink DC Feeder Cables in Block 2" was opened and closed on 10 November 2014 P. O'Neill, Electrical Superintendent, was the issuer.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  (b) Management of fuel loads on site.	Compliant	Closed	Weekly Environmental Inspections and HSE inspections identify fuel loads and their build up and provide the mechanism to trigger fuel reduction activities such as establishment of firebreaks.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  ( c ) Storage and maintenance of fire-fighting equipment, including siting and provision of adequate water supplies for bush fire suppression.	Compliant	Closed	First Solar keeps a register of emergency equipment (APP - SMP: 17F Emergency Equipment Register which includes first aid kits and UHF radios) and a register of FFE (APP - SMP: 17G Fire Equipment Inspection Register) both of which are on the Site HSE System (on "Power").  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  (d) The below requirement of Planning for Bush Fire Protection 2006 -  (i) Identifying asset protection zones (ii) Providing adequate egress/access to the site (s4.1.3). (iii) Emergency evacuation measures (s4.2.7).	Compliant	Closed	The asset protection zones in the event of a fire are (i) the Top Laydown, (ii) Bottom or main laydown and (iii) the main carpark at front of site. There is ready access to the site for emergency firefighting and other vehicles via the front gate entrance. The availability of access is checked daily and weekly during environmental inspections. Emergency evacuations measures are described in the Site Safety Plan.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  ( e ) Operational procedures relating to mitigation and suppression of bush fire relevant to the solar plant.	Compliant	Ongoing	The O&M HSE Manual has a bushfire management plan has been approved by DPE. This will be reviewed annually with RFS.



CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 58. <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:  (f) Post-fire clean-up procedures, including the need for sampling for emissions of cadmium and lead, where appropriate.	NT	NT	Noted.
REMM - 59. <b>Unexpected Historical Heritage Find</b>	Should an item of historic heritage be identified, the Heritage Branch (Office of Environment and Heritage) would be contacted prior to further works being carried out in the vicinity.	Compliant	Closed	Noted. These requirements are communicated through the WEAC to all new personnel to site.  No historic artefacts identified to date.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 60. <b>Site Specific Erosion and Sediment Control Plan</b>	Site specific Erosion and Sediment Control Plans would be prepared, implemented and monitored during the project, in accordance with Landcom (2004), to minimise soil and water impacts. These plans would include provisions to ensure any discharge of water from the site is managed to ensure ANZECC (2000) water quality criteria are met and traffic-generated soil erosion is minimised.	Compliant	Closed	Assessed in accordance with conditions of consent B9 (see above).  Weekly Environmental Inspections and HSE inspections identify site readiness to pending rain events and assess sediment egress off site post rain events. For example on 30/5/2014, a pre-rainfall event environmental check (using Form D01) was conducted to determine the site' readiness to a pending rain event and identified the need to place sediment fencing around a soil stockpile.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
REMM - 61. <b>Spill Response Plan</b>	A Spill Response Plan would be developed to:  ( a ) Manage the storage of any potential contaminants onsite.	Compliant	Closed	First Solar has prepared a Dangerous Goods and Spill Response plan (CEMP-V) as part of its CEMP and this has been approved by the Director General.  Storage of chemicals are checked regularly via the Weekly Environmental Inspection (Form Do1) including checking of currency and presence of SDSs (for all chemicals on site) and proper storage of chemicals in the bunded chemical store.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 61. <b>Spill Response Plan</b>	A Spill Response Plan would be developed to:  (b) Mitigate the effects of soil contamination by fuels or other chemicals (including emergency response and EPA notification procedures).	Compliant	Closed	Noted. There have been no spills causing Material Environmental Harm and none have been reported to EPA. We note that minor leaks are reported internally via the Hazard Report Form (APP-CMP-20A) or incident report.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 61. <b>Spill Response Plan</b>	A Spill Response Plan would be developed to:  ( c ) Prevent contaminants affecting adjacent pasture and dams.	Compliant	Closed	Noted.
REMM - 62. <b>Water Take Access Permissions</b>	If water is required from the local water supply authorities, access would be obtained prior to commencement of activities in consultation with:	Compliant	Closed	Noted.

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	( a ) Cobar Water Board, for water from the Cobar Water pipeline.			
REMM - 62.  <b>Water Take Access Permissions</b>	If water is required from the local water supply authorities, access would be obtained prior to commencement of activities in consultation with:  (b) Bogan Shire Council for water from the local council supply.	Compliant	Closed	Neil's Contracting (a local Nyngan earthmoving contractor) provides the potable water from Bogan Shire Council.  Compliance confirmed by independent Environmental Audit (ERM, June 2015) which includes reference to relevant plans, completed forms (records) and file notes.
REMM - 63.  <b>Dust Suppression Activities (construction phase)</b>	Dust suppression activities would be undertaken, including: During construction and decommissioning  (a) A water cart (truck) would be utilised routinely, wetting all access roads and exposed dusty surfaces as appropriate to the conditions of the project site.  (b) Stockpiled topsoil and other materials that exhibit significant dust lift off would be wet down routinely and as appropriate.  (c) Stabilising techniques and/or environmentally acceptable dust palliatives will be utilised if the wetting down of surfaces prove to be ineffective.	Compliant	Closed	Assessed in accordance with condition of consent B6 (see above).  Noted. The exposed soil areas on the site were regularly wetted throughout the day on an as-needed basis. Water consumption records are kept by WBHO and First Solar (WBHO report daily water usage for dust suppression via "Daily Report" and FS report same from the FS-operated water trucks through the FS project reporting system called "PMV"). An aggregated sum of water usage is reported via the Weekly FS Status Report (published on "Power").

CONDITION TITLE	CONDITION DESCRIPTION	COMPLIANCE STATUS	OPEN/ONGOING	EVIDENCE
	<p>(d) Any area that was temporarily used during construction (laydown and trailer complex areas) would be restored back to original condition or re-vegetated with native plants.</p> <p>(e) Areas that may not have been hard packed but have been disturbed in some form would be treated with environmentally acceptable palliatives and/or vegetated (e.g., By means of hydro seeding) with seeds native to the area.</p>			

**4 ONGOING STATUS ITEMS**

There are a limited number of construction stage approval conditions that have commitments which will extend into the operations stage. These commitments and their expected completion dates are detailed in the following table.

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
<p>Part B. Environmental Performance Visual Amenity</p> <p><b>B21. Rehabilitation and Revegetation</b></p>	<p>The Applicant shall implement a revegetation and rehabilitation program for all areas of the development footprint which are disturbed during the construction of the development but which are not required for the ongoing operation of the development including temporary construction facility sites and sections of construction access roads. The Applicant 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.</p> <p>Unless otherwise agreed to by the Director-General, the Applicant 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 Director-General) as being well established, in good health and self-sustaining.</p>	<p>In relation to the rehabilitation in the areas south of the Barrier Hwy, Edwin Munian from CPP has indicated that CPP will be engaging a suitable expert as soon as approved by AGL to advise whether revegetation is of good health and self-sustaining in that location (as advised by email to T. Guerin FS, from E. Muniun, CPP, 12/11/2015).</p> <p>Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site) when the landscaping planting success is determined.</p>	<p>End H1 2017</p> <p>(after any required replantings for the landscaping planned for April 2016)</p>
<p><b>C3 CEMP – Landscape Management Plan</b></p>	<p>(c) a Landscape Plan, to minimise visual impacts from the solar plant. The Plan shall</p>	<p>First Solar has developed a revised landscape plan that incorporates the input from the local community (through</p>	<p>Q2 2016 Plantings</p>

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>include, but not necessarily be limited to:</p> <p>(i) identification of landscaping objectives and standards based on visual impacts;</p> <p>(ii) details of species used to enhance, mitigate and/or augment landscaping to minimise the visual impact of the development, particularly with respect to the impacts on nearby residences;</p> <p>(iii) implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas; and</p> <p>(iv) a consultation strategy to seek feedback from affected residents and the interested community on the proposed landscape measures.</p>	<p>Community Consultative Committee, CCC, meetings) with expert input from LLS, Dubbo. This has been included in the OEMP for the operations stage of the development (final version Rev2, submitted by FS to AGL in November 2015) and this plan and the OEMP has been approved by DP&amp;E.</p>	<p>End H1 2017 Re-plantings (if required)</p>
<p>Part C. Environmental Management, Reporting and Auditing Environmental Management</p> <p><b>C5. Biodiversity Offset Management Package</b></p>	<p>Following final design and prior to the commencement of construction, or as otherwise agreed to by the Director-General, the Applicant shall develop and submit a Biodiversity Offset Management Package for the approval of the Director-General. The package shall detail how the ecological values lost as a result of the development will be offset. The Biodiversity Offset Management Package shall be developed in consultation with the OEH and shall (unless otherwise agreed by the Director-General) include,</p>	<p>A baseline assessment has been prepared for the on-site offset area by ngh environmental in 2015. A similar baseline for the offsite offset areas is planned for completion by end of Q1 2016, along with a revised BOMP.</p>	<p>Q1 2016</p>

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>but not necessarily be limited to:</p> <p>(a) an assessment of all native vegetation communities and threatened species habitat, supported by a suitable metric (such as the Biobanking Assessment Methodology), that will either be directly or indirectly impacted by the proposal;</p> <p>(b) the objectives and biodiversity outcomes to be achieved (including 'improve or maintain' biodiversity values), and the adequacy of the proposed offset considered;</p> <p>(c) the final suite of the biodiversity offset measures selected and secured including but not necessarily limited to;</p> <p>i) an offset proposal which is supported by a suitable metric method (such as the Biobanking Assessment Methodology);</p> <p>ii) details of the relative condition and values of communities on the offset site in comparison to those to be impacted;</p> <p>iii) proposed management actions and expected gains;</p> <p>(d) the monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including:</p> <p>i) the monitoring of the condition of species and</p>		

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>ecological communities at offset locations;</p> <p>ii) the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;</p> <p>iii) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and</p> <p>(e) timing and responsibilities for the implementation of the provisions of the Package.</p> <p>Land offsets shall be consistent with the Principles for the use of Biodiversity Offsets in NSW (NSW Office of Environment and Heritage, June 2011). Any land offset shall be enduring and be secured by a conservation mechanism which protects and manages the land in perpetuity. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.</p> <p>Where monitoring referred to in condition (d) indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved.</p>		



CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
Part C. Environmental Management, Reporting and Auditing Reporting  <b>C9. Regular Reporting</b>	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Ongoing into operations stage	As required including after audits (2 years, 5 years)
Part C. Environmental Management, Reporting and Auditing Community  <b>C10. Community Information, Consultation and Involvement</b>	Subject to reasonable confidentiality requirements, the Applicant shall make all documents required under this consent available for public inspection on request.	Ongoing into operations stage	As required
Part C. Environmental Management, Reporting and Auditing Community  <b>C11 Provision of Electronic Information</b>	Prior to the commencement of construction, the applicant shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the development. The Applicant shall publish and maintain up to-date information on this website or dedicated pages including, but not necessarily limited to:.....	Ongoing into operations stage	As required
Part C. Environmental Management, Reporting and Auditing Community  <b>C13. Complaints Procedure</b>	Prior to the commencement of construction, the Applicant shall ensure that the following are available for community complaints for the life of the development (including construction and <b>operation</b> ) or as otherwise agreed by the Director-General:  a) a 24 hour telephone number on which complaints about construction and <b>operational</b> activities at the site may be registered;	Ongoing into operations stage	As required

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>b) a postal address to which written complaints may be sent; and</p> <p>c) an email address to which electronic complaints may be transmitted.</p>		
<p>Part C. Environmental Management, Reporting and Auditing Community</p> <p><b>C14. Complaints Procedure</b></p>	<p>The Applicant shall record details of all complaints received through the means listed in condition C13 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:</p> <p>a) the date and time, of the complaint;</p> <p>b) the means by which the complaint was made (telephone, mail or email);</p> <p>c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</p> <p>d) the nature of the complaint;</p> <p>e) any action(s) taken by the Applicant in relation to the complaint, including timeframes for implementing the action; and</p> <p>f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</p> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>	<p>Ongoing into operations stage</p>	<p>As required</p>
<p>Part C. Environmental</p>	<p>The Applicant shall provide an initial response to any</p>	<p>Ongoing into operations stage</p>	<p>As required</p>

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
<p>Management, Reporting and Auditing Community</p> <p><b>C15. Complaints Procedure</b></p>	<p>complaints made in relation to the development 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 C14. Any subsequent detailed response or action is to be provided within two weeks.</p>		
<p>Part C. Environmental Management, Reporting and Auditing Compliance</p> <p><b>C16. Compliance Tracking Programme</b></p>	<p>Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:</p> <p>a) provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, prior to the commencement of operation of the development and within two years of operation commencement;</p> <p>b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011 :2003 -Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;</p> <p>d) mechanisms for recording environmental incidents and actions taken in response to those incidents;</p>	<p>Ongoing into operations stage</p> <p>Reviewed as part of future audits.</p>	<p>As required (First audit in 2 years, 5 years thereafter)</p>

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>e) provisions for reporting environmental incidents to the Director-General during construction and operation; and</p> <p>f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.</p>		
REMM - 2. <b>Impact on Grey-crowned Babbler nest sites</b>	Grey-crowned Babbler nest sites identified in figures 4-7 of the Biodiversity Assessment would be protected from impact during infrastructure siting and design process.	Nests, now located in Area 2, have been checked on a regular basis during construction (typically monthly). These will continue to be monitored, but on a less frequent basis, during the operations stage.	6-12 Monthly
REMM - 10. <b>Site Stabilisation, Rehabilitation and Revegetation</b>	Site Stabilisation, Rehabilitation and Revegetation would be undertaken progressively during works, to ensure that soils are stabilised as soon as practical. This would minimise weed infestation, sedimentation and erosion, which degrade habitat.	Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site) when the landscaping planting success is determined.	End H1 2017
REMM - 18. <b>Weed Control Between Arrays (Operational Phase)</b>	The space between the PV array rows would be kept clear to enable access by vehicles for ongoing weed control, and pasture renovation, if required.	This commitment has been carried over into the OEMP	As required
REMM - 20. <b>Rehabilitation of Native Vegetation</b>	Areas of native vegetation that were impacted by the proposal would be rehabilitated to a level that demonstrates an increase in the environmental values of the site compared to its pre-operational state. A rehabilitation plan would be prepared that includes ongoing monitoring to ensure native	Ngh environmental visited the solar plant site in early November 2015 and the offset site in early December 2015 to complete a <u>baseline</u> assessment of the offset areas (Report from ngh environmental 19/11/15 “Nyngan Solar Farm Compliance and Advice – Offset and revegetation monitoring”).	Every two years

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
	<p>vegetation rehabilitation is successful for the long-term. The plan would be developed prior to decommissioning and would be developed in partnership with relevant agencies.</p>	<p>Final report to AGL is expected by end of Q1 2016.</p> <p>Monitoring of vegetation will occur every two years after the baseline.</p>	
<p>REMM - 21. <b>Offset Plan</b></p>	<p>An offset plan would be developed with input from OEH and the CMA and according to the strategy provided in Appendix G of the Biodiversity Assessment. It would be finalised prior to any construction impacts, as outlined in the Biodiversity Assessment. The objective of offsetting is to ensure that an overall "maintain or improve" outcome is met for the project; where impacts cannot be avoided, or sufficiently minimised, the residual impact would be offset in perpetuity.</p>	<p>ngh environmental visited the solar plant site in early November 2015 and the offset site in early December 2015 to complete a baseline assessment of the offset areas (Report from ngh environmental 19/11/15 "Nyngan Solar Farm Compliance and Advice – Offset and revegetation monitoring"). Final report to AGL is expected in late February 2016.</p> <p>The baseline assessment (noted in above paragraph) forms the basis of the BOMP timeline.</p>	<p>End Q1 2016</p>
<p>REMM - 39. <b>Areas Disturbed and Natural Regeneration</b></p>	<p>All areas disturbed by the construction of the proposed transmission line and solar plant would be allowed to naturally regenerate and be monitored to ensure that regeneration has occurred. Where natural regeneration is unsuccessful, revegetation would be undertaken.</p>	<p>In relation to the rehabilitation in the areas south of the Barrier Hwy, Edwin Munian from CPP has indicated that CPP will be engaging a suitable expert as soon as approved by AGL to advise whether revegetation is of good health and self-sustaining in that location (as advised by email to T. Guerin FS, from E. Muniun, CPP, 12/11/2015).</p> <p>Revegetation shall be monitored until the point at which it can be considered as well established, in good health and maintained as self-sustaining. It is expected that such monitoring by a suitably qualified professional will fulfil this requirement across the site (and underneath the powerlines, south of the site)</p>	<p>End H1 2017</p>

CONDITION TITLE	CONDITION DESCRIPTION	ONGOING WORKS REQUIRED/COMMITMENTS	TIMING (EXP. COMPLETION)
		when the landscaping planting success is determined.	
REMM - 58.  <b>Bush Fire Management Plan</b>	Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to Operational procedures relating to mitigation and suppression of bush fire relevant to the solar plant.	This will require ongoing review with RFS input	Annually

## 5 CONCLUSION

This report has assessed the compliance of the project with consent conditions and revised mitigation measures (REMMs) relating to the pre-operational phase.

As demonstrated in the preceding compliance tables, First Solar and AGL (and CPP) are compliant with all pre-operation consent conditions and revised mitigation measures, with the following provisos:

- Various monitoring requirements are followed through into the operations stage as extensively tabulated in Section 4 (i.e. there are several entries in previous section) e.g. monitoring of nest boxes, groundcover, vegetation and weeds.
- Landscaping works is undertaken as planned by AGL during the first half of 2016 with the involvement of the local community, followed by replantings by mid-2017 (if required) and specialist advice providing an opinion that the rehabilitation works have been effective.
- Preparation and Implementation of the revised Biodiversity Offset Management Plan (BOMP) occurs (as is planned by AGL) and progresses successfully.
- That the review of the site fire plan is occurs annually with input from the RFS.
- Reporting and community continues as required including updating of the project website.

## 6 REFERENCES

Note that these are listed in section 1.5 above.



7 APPENDIX

7.1 Appendix A – Consent Conditions and Revised Mitigation Measures relevant to the pre-operational compliance assessment (Table 3-1 from Staging Report)

Refer to “Applicable” entries in column titled Stage 1 Solar plant construction

Appendix A

Nyngan Solar Plant Staging Report

Table 3-1 Project approval requirements for each nominated party.

ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
<b>Condition of consent</b>							
<b>PART A - ADMINISTRATIVE CONDITIONS</b>							
<b>Obligation to Minimise Harm to the Environment</b>							
A1.	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the development.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
<b>Terms of consent</b>							
A2.	The Applicant shall carry out the development generally in accordance with the: <ul style="list-style-type: none"> <li>a) State Significant development Application SSD- 5355;</li> <li>b) Nyngan Solar Plant Environmental Impact Statement prepared by ngenvironmental dated March 2013;</li> <li>c) Nyngan Solar Plant Submissions Report prepared by ngenvironmental dated June 2013;</li> <li>d) conditions of this consent.</li> </ul>	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
A3.	If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
A4.	The Applicant shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of: <ul style="list-style-type: none"> <li>a) any reports, plans or correspondence that are submitted in accordance with this consent; and</li> <li>b) the implementation of any actions or measures contained within these documents.</li> </ul>	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
<b>Staging</b>							
A5.	The Applicant may elect to construct and/ or operate the development in stages. Where staging is proposed, the Applicant shall submit a	This condition is met by the					

Nyngan Solar Plant Staging Report

ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<p>Staging Report to the Director-General prior to the commencement of the first proposed stage. The Staging Report shall provide details of:</p> <ul style="list-style-type: none"> <li>c) how the development would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence; and</li> <li>d) details of the relevant conditions of development consent, which would apply to each stage and how these shall be complied with across and between the stages of the development.</li> </ul> <p>Where staging of the development is proposed, these conditions of consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).</p> <p>The Applicant shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Director-General prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.</p>	development of this Staging Plan, once submitted to the NSW Minister for Planning and Infrastructure					
	<b>Structural Adequacy</b>						
A6.	The Applicant shall 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 BCA.	Maintains ultimate responsibility for condition being met		Applicable	Applicable		
	<b>Decommissioning</b>						
A7.	Within one year of decommissioning, the site shall be returned, as far as practicable, to its condition prior to the commencement of construction in consultation with the relevant landowner. All solar panels and associated above ground structures including but not necessarily limited to, 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 Director-General in consultation with the relevant landowner, except where the 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 development, including site	Maintains ultimate responsibility for condition being met				Applicable	

Nyngan Solar Plant Staging Report

ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	roads, shall be removed unless otherwise agreed to by the Director-General.						
A8.	If the solar plant is not used for the generation of electricity for a continuous period of 12 months, it shall be decommissioned by the Applicant, unless otherwise agreed by the Director-General. The Applicant 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 Director-General upon request. The solar panels and any associated infrastructure are to be dismantled and removed from the site by the Applicant within 18 months from the date that the solar panels were last used to generate electricity.	Maintains ultimate responsibility for condition being met				Applicable	
A9.	Prior to the commencement of construction, the Applicant shall provide written evidence to the satisfaction of the Director-General that the lease agreements with the relevant landowners have adequate provisions to require that decommissioning occurs in accordance with this consent, and is the responsibility of the Applicant. This condition does not apply if the Applicant is the landowner.	Applicable, AGL owns the land					
	<b>Compliance</b>						
A10.	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
A11.	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
A12.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.	Noted	Applicable	Applicable	Applicable	Applicable	Applicable
	<b>PART B - ENVIRONMENTAL PERFORMANCE</b>						
	<b>GENERAL</b>						

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<b>Ancillary Facilities</b>						
B1.	<p>B1. Unless otherwise approved by the Director-General, the location of Ancillary Facilities shall:</p> <ul style="list-style-type: none"> <li>a) be located more than 50 metres from a waterway;</li> <li>b) be located within or adjacent to the Site;</li> <li>c) have ready access to the road network;</li> <li>d) be located to minimise the need for heavy vehicles to travel through residential areas;</li> <li>e) be sited on relatively level land;</li> <li>f) be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant);</li> <li>g) not require vegetation clearing beyond that already required by the development;</li> <li>h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already impacted by the development;</li> <li>i) not unreasonably affect the land use of adjacent properties;</li> <li>j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and</li> <li>k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.</li> </ul> <p>The location of the Ancillary Facilities shall be identified in the CEMP.</p>	<p>Maintains ultimate responsibility for condition being met</p> <p>{Ancillary facilities are not considered construction under Schedule 1 of the conditions of consent}</p>		Applicable	Applicable		
B2.	<p>The site of all ancillary facilities shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the relevant landowner.</p>	<p>Maintains ultimate responsibility for condition being met</p>		Applicable	Applicable		
	<b>Bushfire Risk</b>						

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B3.	The Applicant shall ensure that all development components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant NSW Rural Fire Services (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.	Bushfire risk and consultation will be managed through the implementation of Bush Fire Management Plans (BFMPs). Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage
B4.	Throughout the operational life of the development, the Applicant shall regularly consult with the local RFS to ensure its familiarity with the development, including the construction timetable and the final location of all infrastructures on the site. The Applicant shall comply with any reasonable request of the local RFS to reduce the risk of bushfire and to enable fast access in emergencies.	Maintains ultimate responsibility for condition being met				Applicable	Applicable
	<b>Dangerous Goods</b>						
B5.	Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with: a) all relevant Australian Standards; b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997).  In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
	<b>Dust Generation</b>						

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B6.	The Applicant shall construct and operate the development in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All development 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 development occur during construction and operation, the Applicant shall identify and implement all practicable dust mitigation measures, including cessation of relevant works during construction, planting ground covers, using dust suppressants as appropriate, such that emissions of visible dust cease.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
<b>Water Quality Impact</b>							
B7.	Except as may be expressly provided by an Environment Protection Licence for the development, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
B8.	Works within 40m of a watercourse are to be carried out in accordance with the Guidelines for Controlled Activities on Waterfront Land (NOW, July 2012).	Guidelines for Controlled Activities on Waterfront Land will be included in the site specific erosion and sediment control plans  AGL maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable		
<b>Construction Soil and Water Management</b>							
B9.	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vol. 1 (Landcom, 2004) shall be employed during the construction of the development to minimise soil	Maintains ultimate responsibility for	Applicable	Applicable	Applicable		

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	erosion and the discharge of sediment and other pollutants to land and/or waters.	condition being met					
	<b>Waterways</b>						
B10.	Waterway crossings shall be designed and constructed in consultation with NOW and DPI (Fisheries) and consistent with DPI (Fisheries) guidelines Policy and Guidelines for Fish Friendly Waterway Crossings (2004) and Fish Passage Requirements for Waterway Crossings (2004).	Waterway crossings will be included in site specific erosion and sediment control plans  AGL maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable		
	<b>Waste Management</b>						
B11.	All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
B12.	Waste generated outside the site shall not 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.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
B13.	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water, 2009), or any superseding document.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable	Applicable	Applicable
	<b>Utilities and Services</b>						
B14.	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of	Maintains ultimate responsibility for	Applicable	Applicable	Applicable		

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	services that are likely to be affected by the development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant.	condition being met					
	<b>FLORA &amp; FAUNA</b>						
	<b>Native Vegetation Impacts</b>						
B15.	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 C3(a).	Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		
B16.	Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (coarse woody debris) in rehabilitated areas (either in offset areas or areas adjoining impacted areas) and included in the Construction Flora and Fauna Management Plan contained in condition C3(a).	Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		
	<b>Fauna Impacts</b>						
B17.	The Applicant shall design, construct and operate any overhead transmission line connection to the electricity grid with consideration to reasonable and feasible mitigation measures that can be employed to minimise the risk of bird and bat strike into electricity wires.	Maintains ultimate responsibility for condition being met			Applicable		Applicable
	<b>VISUAL AMENITY</b>						
	<b>Landscaping Requirements</b>						
B18.	Within six months of the commissioning of the development, the Applicant shall prepare and submit a Visual Impact Verification Report for the Director-General's approval. Unless otherwise agreed to by the Director-General, the Visual Impact Verification Report shall confirm the visual impacts at each of the receptors and roadways identified in the Environmental Impact Statement, or subsequently identified in the final design work, as having the potential to be '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 and intervening screening factors). The Visual Impact Verification Report shall identify all reasonable and feasible screening and landscape planting options	Maintains responsibility for preparing a single report to satisfy this condition					



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	available at each receptor and roadways at which potential impacts have been verified to be 'high' including demonstration that these measures have been determined in consultation with affected receptors and relevant road authorities.						
B19.	Within 18 months of the approval of the Visual Impact Verification Report by the Director-General (or as otherwise agreed to by the Director-General), the Applicant shall ensure that the measures identified in the Report are implemented at affected receptors and roadways as identified in the Report in consultation with the relevant residents/landowners and road authorities.	Maintains ultimate responsibility for condition being met					
B20.	The Applicant shall ensure that any permanent buildings and overhead transmission lines are designed and constructed to minimise visual intrusion to nearest sensitive receptors as far as reasonable and feasible, including appropriate external finishes and landscape planting to screen views.	Maintains ultimate responsibility for condition being met		Applicable	Applicable		
<b>Rehabilitation and Revegetation</b>							
B21.	The Applicant shall implement a revegetation and rehabilitation program for all areas of the development footprint which are disturbed during the construction of the development but which are not required for the ongoing operation of the development including temporary construction facility sites and sections of construction access roads. The Applicant 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 Director-General, the Applicant 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 Director-General) as being well established, in good health and self sustaining.	Overarching guidelines will be prepared by AGL to satisfy this condition	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		
<b>NOISE - CONSTRUCTION</b>							
<b>Construction Noise</b>							
B22.	B22. Construction activities associated with the development shall be undertaken during the following standard construction hours: a) 7:00am to 6:00pm Mondays to Fridays, inclusive; b) 8:00am to 1:00pm Saturdays; and	Maintains ultimate responsibility for	Applicable	Applicable	Applicable		

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	c) at no time on Sundays or public holidays. Except unless otherwise provided in condition B23.	condition being met					
B23.	<p>Construction works outside of the standard construction hours identified in condition B22 may be undertaken in the following circumstances:</p> <ul style="list-style-type: none"> <li>a) construction works that generate noise that is: <ul style="list-style-type: none"> <li>i. no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009); and</li> <li>ii. no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers; or</li> </ul> </li> <li>b) for the delivery of materials required outside those hours by the NSW Police Force or other authorities for safety reasons; or</li> <li>c) where it is required in an emergency to avoid the loss of life, property and/or to prevent environmental harm;</li> <li>d) works as approved through the out-of-hours work protocol outlined in the Construction Noise Management Plan required under condition C3(d).</li> </ul>	Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		

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B24.	Any activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken: <ul style="list-style-type: none"> <li>a) between the hours of 8:00 am to 5:00 pm Mondays to Fridays;</li> <li>b) between the hours of 8:00 am to 1:00 pm Saturdays; and</li> <li>c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.</li> </ul> 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.	Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		
B25.	The Applicant shall implement all reasonable and feasible measures to minimise noise generation from the construction of the development consistent with the requirements of the Interim Construction Noise Guideline (DECC, July 2009) including noise generated by heavy vehicle haulage and other construction traffic associated with the development	Maintains ultimate responsibility for condition being met	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage	A subplan will be developed specific to this stage		
	<b>NOISE - OPERATION</b>						
	<b>Operational Noise Criteria</b>						
B26.	The Applicant 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).	Maintains ultimate responsibility for condition being met				A subplan will be developed specific to this stage	A subplan will be developed specific to this stage
	<b>Operational Noise Design Standards – Overhead Transmission Line</b>						
B27.	The Applicant shall ensure that any overhead transmission line associated with the development is designed, constructed and operated to minimise the generation of corona and aeolian noise as far as reasonable and feasible at nearest existing sensitive receptors.	Maintains ultimate responsibility for condition being met			A subplan will be developed specific to this stage		A subplan will be developed specific to this stage
	<b>TRAFFIC AND TRANSPORT</b>						
	<b>Road Dilapidation</b>						
B28.	B28. Unless otherwise agreed by the Director-General, the Applicant shall commission an independent, qualified person or team	One overarching plan will be					

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			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<p>to undertake the following in consultation with the relevant road authority:</p> <p>a) Prior to the commencement of construction of the development, the Applicant shall commission a suitably qualified road infrastructure specialist to assess the condition of all local public roads proposed to be traversed by construction traffic associated with the development (including over-mass or over-dimensional vehicles) in consultation with the relevant road authority, and to identify any upgrade requirements to accommodate development traffic for the duration of construction (including culvert, bridge and drainage design; intersection treatments; vehicle turning requirements; and site access), having regard to traffic volumes. The Pre-Construction Road Report shall be submitted to the Director-General prior to the commencement of construction works, clearly identifying recommendations made by the relevant road authority and how these have been addressed. The Applicant shall ensure that all upgrade measures identified in the report are implemented to meet the reasonable requirements of the relevant road authority, prior to the commencement of construction, and at no cost to the relevant road authority;</p> <p>b) upon determining the haulage route(s) for construction vehicles associated with the development, and prior to construction, an independent and qualified person or team shall undertake a Road Dilapidation Report. The report shall assess the current condition of relevant local road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the development. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage;</p>	prepared by AGL to satisfy this condition					

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	<p>c) following completion of construction, a subsequent report shall be prepared to assess any damage that may have resulted from the construction of the development; and</p> <p>d) measures undertaken to restore or reinstate roads affected by the development shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Applicant.</p>						
B29.	The intersection of the site access road and the Barrier Highway shall be upgraded prior to the commencement of construction to the satisfaction of the RMS and at no cost to the relevant road authority.	Maintains ultimate responsibility for condition being met	Applicable				
	<b>HERITAGE</b>						
	<b>Heritage Impacts</b>						
B30.	If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with the National Parks and Wildlife Act 1974. In addition, registered Aboriginal stakeholders shall be informed of the finds. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with the OEH and the registered Aboriginal stakeholders and written authorisation from the OEH is received by the Applicant.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable		
B31.	If during the course of construction the Applicant becomes aware of any unexpected historical relic(s), all work likely to affect the relic(s) shall cease immediately and the Heritage Office notified in accordance with the Heritage Act 1977. Works shall not recommence until the Applicant receives written authorisation from the Heritage Office.	Maintains ultimate responsibility for condition being met	Applicable	Applicable	Applicable		
	<b>EASEMENT</b>						
B32.	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, is to be created prior to commencement of energy generation at the site.	Maintains ultimate responsibility for condition being met					

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	<b>FENCING</b>						
B33.	<p>The Applicant shall consult with the relevant landowner(s) adjoining the access road (inclusive of the owner of the property known as "Redlands" who utilises the adjoining road reserve) regarding any additional fencing required along the site access road to ensure any livestock is protected from collision risks.</p> <p>Unless otherwise agreed by the Director-General, the Applicant must install a stock proof fence along the western boundary of Lot 24 DP 751328, or implement other feasible means of protecting livestock from collision risks, where required by the relevant landowner, prior to construction, at the full cost of the Applicant.</p>	Maintains ultimate responsibility for condition being met	Applicable				
	<b>PART B - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING</b>						
	<b>ENVIRONMENTAL REPRESENTATIVE</b>						
C1.	<p>Prior to the commencement of construction of the development, or as otherwise agreed by the Director-General, the Applicant shall nominate for the approval of the Director-General a suitably qualified and experienced Environment Representative(s) that is independent of the design and construction personnel. The Applicant shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:</p> <ul style="list-style-type: none"> <li>a) be the principal point of advice in relation to the environmental performance of the development;</li> <li>b) monitor the implementation of environmental management plans and monitoring programs required under this consent and advise the Applicant upon the achievement of these plans/ programs;</li> <li>c) have responsibility for considering and advising the Applicant on matters specified in the conditions of this consent, and other licences and approvals/consents related to the environmental performance and impacts of the development;</li> </ul>	One ER would be appointed to the project to satisfy this condition as well as provide coordination between the stages, in terms of compliance					

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	<ul style="list-style-type: none"> <li>d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s);</li> <li>e) be given the authority to approve/ reject minor amendments to the Construction Environmental Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environmental Management Plan required under Condition C2;</li> <li>f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur; and</li> <li>g) be consulted in responding to the community concerning the environmental performance of the development where the resolution of points of conflict between the Applicant and the community is required.</li> </ul>						
	<b>ENVIRONMENTAL MANAGEMENT</b>						
	<b>Construction Environmental Management Plan (CEMP)</b>						
C2.	<p>The Applicant shall prepare and implement a Construction Environmental Management Plan in consultation with Council in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) or any replacement guideline. No construction associated with the development shall commence until written approval of this plan has been received from the Director-General or his nominee. The Plan must include:</p> <ul style="list-style-type: none"> <li>a) a description of all relevant activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;</li> <li>b) identification of the potential for cumulative impacts with other construction activities</li> </ul>	Maintains ultimate responsibility for ensuring that the contents of individual contractor CEMPs are able to satisfy this condition	Refer to Section 2.1	A CEMP will be developed specific to this stage	A CEMP will be developed specific to this stage		

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	<p>occurring in the vicinity and how such impacts would be managed;</p> <p>c) details of any construction sites and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;</p> <p>d) statutory and other obligations that the Applicant is required to fulfil during construction including all relevant approvals/consents, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;</p> <p>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;</p> <p>f) a description of the roles and responsibilities for all relevant employees involved in the construction of the development 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 consent;</p> <p>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;</p> <p>h) specific consideration of relevant measures identified in the documents referred to under conditions A2b) and A2c) of this consent;</p> <p>i) the additional requirements of this consent;</p> <p>j) a complaints handling procedure during construction identified in conditions C13 and C14;</p> <p>k) register of construction work hazards and the anticipated level of risk associated with each;</p>						



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	<p>l) measures to monitor and manage soil and water impacts in consultation with NOW 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;</p> <p>m) measures to monitor and manage flood impacts in consultation with NOW;</p> <p>n) measures to monitor and manage dust emissions including dust generated by traffic on unsealed public roads and unsealed internal access tracks;</p> <p>o) emergency management measures including measures to control bushfires;</p> <p>p) information on water sources, including details on sources and security of water supply and water use on site;</p> <p>q) the Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, include the provision for a replacement dam. Details for any replacement dam must be prepared in consultation with OEH and NOW and submitted to the Director-General for approval prior to developing the dam; and</p> <p>r) incorporation of the plans identified in C3.</p>						
C3.	<p>As part of the Construction Environmental Management Plan required under condition C2 of this consent, the Applicant shall prepare and implement the following:</p> <p>a) a <b>Flora and Fauna Management Plan</b>, developed in consultation with the OEH, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of</p>	Maintains ultimate responsibility for ensuring that the contents of individual contractor	Refer to Section 2.1	Subplans will be developed specific to this stage	Subplans will be developed specific to this stage		

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<p>the development. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations of EECs, native pasture; 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;</li> <li>ii. methods to manage impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the development, such as location of fencing, procedures for vegetation clearing or soil removal/stockpiling, procedures for rehabilitation of directly impacted native vegetation (where appropriate) and procedures for enhancing native habitat (such as re-locating hollows or installing nesting boxes and managing weeds);</li> <li>iii. procedures to accurately determine the total area, type and condition of vegetation community to be cleared; and</li> <li>iv. a procedure to monitor the effectiveness of flora and fauna management, and review management methods where they are found to be ineffective.</li> </ul> <p>b) a <b>Ground Cover Management Plan</b>, developed in consultation with an agronomist, 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:</p>	<p>subplans are able to satisfy this condition</p>					

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<ul style="list-style-type: none"> <li>i. procedures to minimise disturbance to ground cover not impacted by the development;</li> <li>ii. procedures for the stabilisation, rehabilitation and revegetation of disturbed ground cover including reference to field trials where required;</li> <li>iii. weed management measures to control and prevent the spread of noxious weeds;</li> <li>iv. monitoring methods to assess the impact of the development on the ground cover vegetation; and</li> <li>v. a procedure to review management methods where they are found to be ineffective.</li> </ul> <p>c) a <b>Landscape Plan</b>, to minimise visual impacts from the solar plant. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. identification of landscaping objectives and standards based on visual impacts;</li> <li>ii. details of species used to enhance, mitigate and/or augment landscaping to minimise the visual impact of the development, particularly with respect to the impacts on nearby residences;</li> <li>iii. implementation, management and monitoring strategies to ensure the establishment and ongoing maintenance of landscaped areas; and</li> <li>iv. a consultation strategy to seek feedback from affected residents and the interested community on the proposed landscape measures.</li> </ul> <p>d) a <b>Construction Noise Management Plan</b> to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures.</p>						

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<p>The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. details of construction activities and an indicative schedule for construction works;</li> <li>ii. identification of construction activities that have the potential to generate noise impacts on surrounding land uses, particularly residential areas;</li> <li>iii. detail the requirements for Noise Impact Statement(s) for discrete work areas, including construction site compounds;</li> <li>iv. detail what reasonable and feasible actions and measures would be implemented to minimise noise impacts;</li> <li>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;</li> <li>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 B22 of this consent, 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 Director-General'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</li> </ul>						

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<p>applications to the Director-General; and</p> <p>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.</p> <p>e) a <b>Traffic Management Plan</b> to manage traffic conflicts that may be generated during construction. In preparing the Plan, the Applicant shall consult with the Council and RMS. The Plan shall address the requirements of the relevant road authority and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>i. the origin, number, size, frequency and final destination of vehicles entering/exiting the site;</li> <li>ii. loads, weights and lengths of haulage and construction related vehicles and the number of movements of such vehicles;</li> <li>iii. the management and coordination of the movement of construction and personnel vehicles to the site and measures to limit disruption to other motorists, emergency vehicles and school bus timetables (particularly the Miandetta to Nyngan route);</li> <li>iv. scheduling of haulage vehicle movement to minimise convoy length or platoons. Consideration should be given to minimise the route length for road</li> </ul>						

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	<ul style="list-style-type: none"> <li>v. transport of all size and over mass loads to minimise the impact on traffic.</li> <li>vi. details of intersection improvement works in accordance with Austroads Guide to Road Design 2010 and RMS Supplements;</li> <li>vii. demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with;</li> <li>viii. details of measures to minimise interactions between the development and other users of the roads such as the use of fencing, lights, barriers, traffic diversions etc;</li> <li>ix. procedures to manage construction traffic to ensure the safety of the school bus and its passengers, inclusive of driver training and procedures to ensure the adequacy of the management measures;</li> <li>x. implement all reasonable and feasible measures to reduce the construction related traffic on the Barrier Highway and public roads between the site and the highway;</li> <li>xi. schedule construction vehicle movements on site to occur outside school bus hours;</li> <li>xii. procedures to manage construction traffic to ensure the safety of livestock and to minimise disruption to livestock;</li> <li>xiii. speed limits to be observed along routes to and from the site and within the site and access road; and</li> <li>xiv. details of the expected behavioural requirements for vehicle drivers</li> </ul>						

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	<p>travelling to and from the site and within the site.</p> <p>f) an <b>Aboriginal Heritage Plan</b> to monitor and manage Aboriginal heritage shall be developed in consultation with the OEH and registered Aboriginal stakeholders, and include the following:</p> <ul style="list-style-type: none"> <li>i. details of further archaeological investigations and/or salvage measures to be carried out prior to construction;</li> <li>ii. procedures for the management of identified objects within the development site;</li> <li>iii. procedures for dealing with unidentified objects and/or human remains;</li> <li>iv. Aboriginal cultural heritage induction processes for construction personnel; and</li> <li>v. procedures for ongoing Aboriginal consultation and involvement.</li> </ul> <p>Upon receipt of the Director-General's approval, the Applicant shall provide a copy of the Plan to the relevant landowner as soon as practicable.</p>						
	<b>Operational Environmental Management Plan</b>						
C4.	<p>The Applicant shall prepare and implement an Operational Environmental Management Plan in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004), or any replacement guideline. The Plan shall include but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) identification of all statutory and other obligations that the Applicant is required to fulfil in relation to the operation of the development, including all consents, licences, approvals and consultations;</li> <li>b) a management organisational chart identifying the roles and responsibilities for all relevant employees involved in the operation of the development;</li> </ul>	Maintains ultimate responsibility for ensuring that the contents of individual contractor OEMPs are able to satisfy this condition				An OEMP will be developed specific to this stage	An OEMP will be developed specific to this stage

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<ul style="list-style-type: none"> <li>c) overall environmental policies to be applied to the operation of the development;</li> <li>d) standards and performance measures to be applied to the development, 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 consent are identified. In particular the following environmental performance issues shall be addressed:               <ul style="list-style-type: none"> <li>i. bushfire hazard and risk management;</li> <li>ii. management and maintenance of offsets;</li> <li>iii. inspection, monitoring and maintenance of all watercourse crossings;</li> <li>iv. management measures for the site, including management of vegetation, soil erosion, dust weed control and landholder liaison.</li> </ul> </li> <li>e) the environmental monitoring requirements outlined under this consent;</li> <li>f) measures to monitor and manage flood impacts in consultation with NOW;</li> <li>g) information on water sources, including details on sources and security of water supply and water use on site;</li> <li>h) complaints handling procedures as identified in conditions C13 to C15;</li> <li>i) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A2b) and A2c) of this consent; and</li> <li>j) management policies to ensure that environmental performance goals are met and comply with the conditions of this consent.</li> </ul>						



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	The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of Operation of the development or within such period as otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall make the Plan publicly available as soon as practicable and provide a copy of the Plan to the relevant landowner as soon as practicable.						
	<b>Biodiversity Offset Management Package</b>						
C5.	<p>Following final design and prior to the commencement of construction, or as otherwise agreed to by the Director-General, the Applicant shall develop and submit a Biodiversity Offset Management Package for the approval of the Director-General. The package shall detail how the ecological values lost as a result of the development will be offset. The Biodiversity Offset Management Package shall be developed in consultation with the OEH and shall (unless otherwise agreed by the Director-General) include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) an assessment of all native vegetation communities and threatened species habitat, supported by a suitable metric (such as the Biobanking Assessment Methodology), that will either be directly or indirectly impacted by the proposal;</li> <li>b) the objectives and biodiversity outcomes to be achieved (including 'improve or maintain' biodiversity values), and the adequacy of the proposed offset considered;</li> <li>c) the final suite of the biodiversity offset measures selected and secured including but not necessarily limited to: <ul style="list-style-type: none"> <li>i. an offset proposal which is supported by a suitable metric method (such as the Biobanking Assessment Methodology);</li> <li>ii. details of the relative condition and values of communities on the offset site in comparison to those to be impacted;</li> <li>iii. proposed management actions and expected gains;</li> </ul> </li> </ul>	Maintains responsibility for preparing a single package to satisfy this condition					

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<p>d) the monitoring requirements for compensatory habitat works and other biodiversity offset measures proposed to ensure the outcomes of the package are achieved, including:</p> <ul style="list-style-type: none"> <li>i. the monitoring of the condition of species and ecological communities at offset locations;</li> <li>ii. the methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;</li> <li>iii. provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the OEH; and</li> </ul> <p>e) timing and responsibilities for the implementation of the provisions of the Package.</p> <p>Land offsets shall be consistent with the Principles for the use of Biodiversity Offsets in NSW (NSW Office of Environment and Heritage, June 2011). Any land offset shall be enduring and be secured by a conservation mechanism which protects and manages the land in perpetuity. Where land offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.</p> <p>Where monitoring referred to in condition (d) indicates that biodiversity outcomes are not being achieved, remedial actions shall be undertaken to ensure that the objectives of the Biodiversity Offset Package are achieved.</p>						
	<b>Decommissioning Management Plan</b>						
C6.	<p>Prior to the commencement of decommissioning, or as otherwise agreed by the Director-General, the Applicant shall prepare (in consultation with the relevant landowner) and implement (following approval) a Decommissioning Management Plan for the development. The Plan shall outline the environmental management practices and procedures that are to be followed during decommissioning, and shall be prepared in consultation with the relevant agencies and in</p>	Maintains responsibility for preparing a single plan to satisfy this condition					

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<p>accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) or any replacement guideline. The Plan shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) a description of activities to be undertaken during decommissioning of the development (including staging and scheduling);</li> <li>b) statutory and other obligations the Applicant is required to fulfil during decommissioning, including approval/consents, consultations and agreements required from authorities and other stakeholders under key legislation and policies;</li> <li>c) a description of the roles and responsibilities for relevant employees involved in the decommissioning of the development, including relevant training and induction provisions for ensuring that employees, including contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of consent;</li> <li>d) an environmental risk analysis to identify the key environmental performance issues associated with the decommissioning phase; and</li> <li>e) details of how environmental performance will be managed and monitored to meet acceptable outcomes, including what actions will be taken to address identified potential adverse environmental impacts (including any impacts arising from the staging of the decommissioning of the development). In particular, the following environmental performance issues shall be addressed in the Plan: <ul style="list-style-type: none"> <li>i. compounds and ancillary facilities management;</li> <li>ii. noise and vibration;</li> <li>iii. traffic and access;</li> </ul> </li> </ul>						

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
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	<ul style="list-style-type: none"> <li>iv. soil and water quality and spoil management;</li> <li>v. air quality and dust management;</li> <li>vi. hazardous material and waste management; and</li> <li>vii. hazard and risk management, including bushfire risk.</li> </ul> <p>The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of decommissioning, or as otherwise agreed by the Director-General. The Plan may be prepared in stages, however, decommissioning works shall not commence until written approval has been received from the Director-General. Upon receipt of the Director-General's approval, the Applicant shall provide a copy of the Plan to the relevant landowner as soon as practicable.</p>						
	<b>Decommissioning Road Dilapidation</b>						
C7.	<p>Unless otherwise agreed by the Director-General, the Applicant shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:</p> <ul style="list-style-type: none"> <li>a) Prior to the commencement of decommissioning of the development, the Applicant shall commission a suitably qualified road infrastructure specialist to assess the condition of all public roads proposed to be traversed by decommissioning traffic associated with the development (including over-mass or over-dimensional vehicles) in consultation with the relevant road authority, and to identify any upgrade requirements to accommodate development traffic for the duration of decommissioning (including culvert, bridge and drainage design; intersection treatments; vehicle turning requirements; and site access), having regard to traffic volumes. The Decommissioning Road Report shall be submitted to the Director-General prior to the commencement of decommissioning works, clearly identifying</li> </ul>	Maintains responsibility for preparing a single plan to satisfy this condition					

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	<p>recommendations made by the relevant road authority and how these have been addressed. The Applicant shall ensure that all upgrade measures identified in the report are implemented to meet the reasonable requirements of the relevant road authority, prior to the commencement of decommissioning, at no cost to the relevant road authority.</p> <p>b) upon determining the haulage route(s) for decommissioning vehicles associated with the development, and prior to decommissioning, an independent and qualified person or team shall undertake a Road Dilapidation Report. The report shall assess the current condition of the road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the development. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage.</p> <p>Following completion of decommissioning, a subsequent report shall be prepared to assess any damage that may have resulted from the decommissioning of the development.</p> <p>Measures undertaken to restore or reinstate roads affected by the development shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Applicant.</p>						
	<b>REPORTING</b>						
	<b>Incident Reporting</b>						
C8.	The Applicant shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.	Maintains responsibility for reporting to satisfy this condition	Incident reporting protocols will be developed specific to this stage	Incident reporting protocols will be developed specific to this stage	Incident reporting protocols will be developed specific to this stage	Incident reporting protocols will be developed specific to this stage	Incident reporting protocols will be developed specific to this stage

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	<b>Regular Reporting</b>						
C9.	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	Maintains responsibility for reporting to satisfy this condition	Applicable	Applicable	Applicable	Applicable	Applicable
	<b>COMMUNITY</b>						
	<b>Community Information, Consultation and Involvement</b>						
C10.	Subject to reasonable confidentiality requirements, the Applicant shall make all documents required under this consent available for public inspection on request.	Maintains responsibility for addressing this condition					
	<b>Provision of Electronic Information</b>						
C11.	Prior to the commencement of construction, the Applicant shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the development. The Applicant shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to: <ul style="list-style-type: none"> <li>a) the status of the development;</li> <li>b) a copy of this consent and any future modification to this consent;</li> <li>c) a copy of each relevant environmental consent, licence or permit required and obtained in relation to the development;</li> <li>d) a copy of each plan, report, or monitoring program required by this consent; and</li> <li>e) details of the outcomes of compliance reviews and audits of the development.</li> </ul>	Maintains responsibility for addressing this condition					
	<b>Community Information Plan</b>						
C12.	Prior to the commencement of construction, the Applicant 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 development. The Plan shall include but not be limited to:	A Community Consultation Plan would be developed to address this and					

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	<ul style="list-style-type: none"> <li>a) procedures to inform the local community of planned investigations and construction activities, including blasting works (if any);</li> <li>b) procedures to inform the relevant community of construction traffic routes and any potential disruptions to traffic flows and amenity impacts;</li> <li>c) procedures to consult with local landowners/residents with regard to construction traffic to ensure the safety of livestock and to limit disruption to livestock movements;</li> <li>d) procedures to inform the community where work outside the construction hours specified in condition B22, in particular noisy activities, has been approved; and</li> <li>e) procedures to inform and consult with the relevant landowner to rehabilitate impacted land.</li> </ul>	<p>other issues related to the community.</p> <p>The Applicant maintains responsibility for preparing and implementing this plan to satisfy this condition.</p>					
	<b>Complaints Procedure</b>						
C13.	<p>Prior to the commencement of construction, the Applicant shall ensure that the following are available for community complaints for the life of the development (including construction and operation) or as otherwise agreed by the Director-General:</p> <ul style="list-style-type: none"> <li>a) a 24 hour telephone number on which complaints about construction and operational activities at the site may be registered;</li> <li>b) a postal address to which written complaints may be sent; and</li> <li>c) an email address to which electronic complaints may be transmitted.</li> </ul> <p>The telephone number, postal address and e-mail address shall be advertised in a newspaper circulating in the local 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 development. These details shall also be provided on the Applicant's internet site required by condition C11. 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.</p>	<p>Maintains responsibility for addressing this condition</p>					

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C14.	<p>The Applicant shall record details of all complaints received through the means listed in condition C13 of this consent in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>d) the date and time, of the complaint;</li> <li>e) the means by which the complaint was made (telephone, mail or email);</li> <li>f) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;</li> <li>g) the nature of the complaint;</li> <li>h) any action(s) taken by the Applicant in relation to the complaint, including timeframes for implementing the action; and</li> <li>i) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.</li> </ul> <p>The Complaints Register shall be made available for inspection by the Director-General upon request.</p>	One complaints strategy will be developed by AGL and implemented throughout each stage to address this condition.	Applicable. Required to provide information to Applicant	Applicable. Required to provide information to Applicant	Applicable. Required to provide information to Applicant	Applicable	Applicable
C15.	The Applicant shall provide an initial response to any complaints made in relation to the development 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 C14. Any subsequent detailed response or action is to be provided within two weeks.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
<b>COMPLIANCE</b>							
<b>Compliance Tracking Program</b>							
C16.	<p>Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>a) provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, prior to the commencement of</li> </ul>	Maintains responsibility for addressing this condition	Compliance tracking would be undertaken for relevant conditions	Compliance tracking would be undertaken for relevant conditions	Compliance tracking would be undertaken for relevant conditions	Compliance tracking would be undertaken for relevant conditions	Compliance tracking would be undertaken for relevant conditions



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	<p>operation of the development and within two years of operation commencement;</p> <p>b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;</p> <p>d) mechanisms for recording environmental incidents and actions taken in response to those incidents;</p> <p>e) provisions for reporting environmental incidents to the Director-General during construction and operation; and</p> <p>f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.</p>						
	Statement of commitment						
1.	A supplementary survey during spring (early October) prior to the finalisation of the transmission line design would be conducted to confirm if threatened flora species including the Red-darling Pea and Pine Donkey Orchid inhabit the higher quality woodland vegetation south of the Barrier Highway. If these species are identified in areas proposed for impact, transmission infrastructure would be micro-sited with input from an ecologist to ensure a significant impact is avoided. If unavoidable, all areas of suitable habitat within the easement would be included as additional permanent impact areas and would be added to the total area required to be offset.	Maintains responsibility for addressing this condition					
2.	Grey-crowned Babbler nest sites identified in Figure 4-7 of the Biodiversity Assessment would be protected from impact during infrastructure siting and design process.	Maintains responsibility for addressing this condition		Applicable			
3.	Pre-clearance surveys would be conducted prior to felling hollow-bearing trees.	Maintains responsibility for	Applicable	Applicable	Applicable		

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		addressing this condition					
4.	Works would avoid impacts to mature trees that are to be retained. Tree protection standards would comply with Australian standard AS 4970-2009 <i>Protection of trees on development sites</i> (Standards Australia, 2009). Wherever practicable, excavations and vehicle/machinery movements would occur outside the canopy dripline of large eucalypts.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
5.	Removal of the east-west strip of vegetation must be conducted outside of the breeding season of the Grey-crowned Babbler (June to February) unless the nests have been confirmed to be inactive.	Maintains responsibility for addressing this condition		Applicable			
6.	Restoration of habitat: Hollows from felled hollow-bearing trees would be salvaged and placed in retained trees or on poles in adjacent habitat. For each hollow salvaged, a nest box would also be installed to offset the loss of habitat. Where it is not deemed to be a fire hazard, timber from cleared trees (coarse woody debris – CWD – including logs) is to be relocated into areas of adjacent woodland to provide foraging habitat for species such as Grey-crowned Babbler and other ground dwelling fauna. CWD would be scattered evenly across the relocation areas, not piled or windrowed. Cleared native vegetation not likely to provide habitat would be mulched rather than burned.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
7.	Within areas of native vegetation, existing tracks would be used wherever possible to avoid compaction and/or disturbance.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
8.	Traffic management measures would be incorporated into the construction and operation phase and would address traffic flow, vehicle speed and vehicle numbers entering and leaving the site. This would aim to prevent collisions with fauna utilising the site, particularly Grey-crowned Babbler.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
9.	Excavated topsoil would be stored separately from subsoil and replaced in a manner that replicates the original profile as closely as possible to assist rapid revegetation.	Maintains responsibility for	Applicable	Applicable	Applicable		

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ID	Requirement	AGL Applicant	Stage 0 Enabling works	Stage 1 Solar plant construction	Stage 2 Connection works construction	Stage 3 Solar plant operation	Stage 4 Transmission line maintenance and operation
			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
		addressing this condition					
10.	Site stabilisation, rehabilitation and revegetation would be undertaken progressively during works, to ensure that soils are stabilised as soon as practical. This would minimise weed infestation, sedimentation and erosion, which degrade habitat.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
11.	Disturbed areas would be identified and used preferentially for vehicle and machinery access, materials laydown, stockpiling of cleared vegetation and the deposition and retrieval of spoil whenever practicable, to minimise the footprint of the development on intact native-dominated areas.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
12.	A weed management plan would be developed for the site, guided by the measures set out in the Biodiversity Assessment.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
13.	Perimeter security fencing will feature heavy duty fabric to increase visibility to fast flying parrots.	Maintains responsibility for addressing this condition		Applicable	Applicable		
14.	Where trenches are to be excavated and backfilled in well vegetated native areas, whole sods would be removed, stored in moist, shaded conditions and replaced following the works. Sod storage time would be minimised and sods would be replaced in a manner that maximises the chances of re-establishment and soil stabilisation.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
15.	If the dam in the south of the solar plant site is removed during the works, an alternative watering point would not be established on the proposal site.	Maintains responsibility for addressing this condition		Applicable			
16.	Trenches would be left open for the least time practical and would be inspected for trapped fauna prior to back filling. Any trench sections left open overnight would be inspected early in the morning and any trapped fauna removed.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
17.	A groundcover management plan would be developed, as outlined in the Biodiversity Assessment.	Maintains ultimate responsibility for ensuring that the	Applicable	Applicable	Applicable		

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		contents of individual contractor subplans are able to satisfy this condition					
18.	The space between the PV array rows would be kept clear to enable access by vehicles for ongoing weed control, and pasture renovation, if required.	Maintains responsibility for addressing this condition		Applicable			
19.	Nest boxes and salvaged hollows remounted during the construction phase would be routinely inspected to check the integrity of the structures and remedy them if required.	Maintains responsibility for addressing this condition		Applicable	Applicable		
20.	Areas of native vegetation that were impacted by the proposal would be rehabilitated to a level that demonstrates an increase in the environmental values of the site compared to its pre-operational state. A rehabilitation plan would be prepared that includes ongoing monitoring to ensure native vegetation rehabilitation is successful for the long-term. The plan would be developed prior to decommissioning and would be developed in partnership with relevant government agencies.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
21.	An Offset Plan would be developed with input from OEH and the CMA and according to the strategy provided in Appendix G of the Biodiversity Assessment. It would be finalised prior to any construction impacts, as outlined in the Biodiversity Assessment. The objective of offsetting is to ensure that an overall 'maintain or improve' outcome is met for the project; where impacts cannot be avoided, or sufficiently minimised, the residual impact would be offset in perpetuity.	Maintains responsibility for preparing a single package to satisfy this condition					
22.	Prior to finalising the Offset Site boundaries, the proponent would validate the area impacted by construction to ensure that the actual, not estimated, impacted area is offset.	Maintains responsibility for satisfying this condition					
23.	The offset site management actions and their outcomes would be reported every two years to the Department of Planning and	Maintains responsibility for					

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			Applicant and Contractors	Solar Plant Contractor	Connection Works Contractor	Solar Plant Operator	Connection Works Operator
	Infrastructure for the duration of the project (up to 30 years) to demonstrate that a 'maintain or improve' outcome has been met.	satisfying this condition					
	<b>Aboriginal heritage</b>						
24.	If human skeletal remains are found during the activity, work in the area of the remains would stop immediately, the area would be secured to prevent unauthorised access and the NSW Police and OEH would be contacted.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
	<b>Hydrology (surface and groundwater)</b>						
25.	The substation and office building would be designed to accommodate a 1:100 year flood and be located in the south-west of the site, outside the inundation zone (Figure 6-1 of the EIS).	Maintains responsibility for addressing this condition		Applicable	Applicable		
	<b>Noise amenity</b>						
26.	The employee and contractor induction would inform all site personnel about noise management measures, construction hours and nearest sensitive receivers.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
27.	All employees are responsible for managing noise from their work activities and working in a manner to reduce noise.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
28.	Works are to be carried out during standard work hours (i.e., 7am to 6pm Monday to Friday; 8am to 1pm Saturdays). Any construction outside of these normal working hours would only be undertaken with prior approval from relevant authorities. For works outside standard hours, inform affected residents and other sensitive land use occupants between 5 and 14 days before commencement.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
29.	Where reasonable and feasible, noisy activity would be carried out in the least sensitive time periods (to be determined through community consultation).	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
30.	A Construction Noise Management Plan would be prepared as part of the Construction Environmental Management Plan. It would include provision for noise monitoring to be undertaken in the event a noise complaint is received to verify if target noise levels are exceeded at	Maintains ultimate responsibility for ensuring that the	Refer to Section 2.1	Applicable	Applicable		

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	that receiver. If so, additional measures would be developed in consultation with the complainant.	contents of individual contractor subplans are able to satisfy this condition					
31.	Community consultation would be ongoing for residences within close proximity to the works. The information would include details of: <ul style="list-style-type: none"> <li>The proposed works.</li> <li>The duration and nature of the works during construction.</li> <li>What works are expected to be noisy.</li> <li>What is being done to minimise noise.</li> <li>When respite periods would occur.</li> <li>Regular updates on progress of works.</li> </ul>	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
32.	Ensure equipment is operated and maintained in accordance with the manufacturer's instructions including replacement of engine covers, repair of defective silencing equipment, tightening of rattling components, repair of leakages in compressed air lines and shutting down equipment not in use.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
33.	Avoid the operation of noisy equipment near noise-sensitive areas and where possible, loading and unloading would be conducted away from sensitive areas.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
34.	Position plant and equipment on site in a position that provides the most acoustic shielding from buildings and topography. Plant known to emit noise in one direction would be orientated where practicable to screen the emissions.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
35.	Where feasible and reasonable install multi-frequency alarms and smart alarms on vehicles, taking into account the requirements of the Work Health and Safety legislation.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
36.	Keep truck drivers informed of designated vehicle routes, parking locations, acceptable delivery hours or other relevant practices (for example, minimising the use of engine brakes, and no extended periods of engine idling).	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		

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	<b>Visual amenity</b>						
37.	To break up views of infrastructure, screening vegetation would be planted or allowed to regenerate in areas identified in Figure 6.1 of the Visual Impact Assessment. Maintenance requirements of the planting would be considered within the operational management plan to ensure that plants are watered as required and that dead plants are replaced.	One landscape plan would be developed by AGL to satisfy this condition		Applicable	Applicable	Applicable	Applicable
38.	Clearing of vegetation minimised. In particular, the tree lines on the western, northern and eastern boundaries of the site retained intact and the transmission line route placed to allow this to occur.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable	Applicable	Applicable
39.	All areas disturbed by the construction of the proposed transmission line and solar plant would be allowed to naturally regenerate and be monitored to ensure that regeneration has occurred. Where natural regeneration is unsuccessful, revegetation would be undertaken.	Maintains responsibility for addressing this condition		Applicable	Applicable	Applicable	Applicable
40.	The colour of above ground structures, including the construction site offices, would be sympathetic to the landscape character of the site to minimise visual contrast.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
41.	The following principles would be considered regarding placement of poles near the Barrier Highway crossing to reduce their visual impact: <ul style="list-style-type: none"> <li>setting poles as far back as possible from the road where the transmission line crosses the road</li> <li>arranging the poles so that the transmission line crosses roads at right angles</li> <li>locating poles where they can be screened from view by existing vegetation (and adding in screening vegetation where needed).</li> </ul>	Maintains responsibility for addressing this condition			Applicable		
	<b>Air quality</b>						
42.	Air quality impacts would be addressed via the development of: <ul style="list-style-type: none"> <li>Protocols to guide vehicle and construction equipment use, to minimise emissions.</li> <li>Protocols to minimise and treat dust (water carts or similar).</li> </ul>	Maintains responsibility for addressing this condition	Refer to Section 2.1	Applicable	Applicable		
	<b>Health and safety</b>						

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43.	The substation and transmission lines would be located as far as practical from residences, farm sheds, and yards in order to reduce the potential for both chronic and acute exposure to EMFs.	Maintains responsibility for addressing this condition			Applicable		
44.	Design of electrical infrastructure would minimise EMFs.	Maintains responsibility for addressing this condition			Applicable		
45.	Fencing around the substation would be maintained to limit public access.	Maintains responsibility for addressing this condition			Applicable		
<b>Land use impacts and mineral resources</b>							
46.	Consultation with neighbouring landholders regarding any temporary impacts to access or risks to livestock. Additional specific mitigation may be required such as: <ul style="list-style-type: none"> <li>• Additional fencing to protect livestock from collision risks</li> <li>• Vehicle speed restrictions on access roads.</li> </ul>	Maintains responsibility for addressing this condition					
47.	Consultation with mineral stakeholders would be undertaken to inform them of the timing of works and final infrastructure layout.	Maintains responsibility for addressing this condition					
48.	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, would be created prior to commencement of energy generation at the site.	Maintains responsibility for addressing this condition					
<b>Socioeconomic and community wellbeing</b>							
49.	A Community Consultation Plan would be developed to manage impacts to community stakeholders, including but not limited to: <ul style="list-style-type: none"> <li>• Protocols to keep the community updated about the progress of the project and project benefits.</li> <li>• Protocols to inform relevant stakeholders of potential impacts (haulage, noise etc).</li> <li>• Protocols to respond to any complaints received.</li> </ul>	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		



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50.	Liaise with local industry representatives to maximise the use of local contractors, manufacturing facilities, materials.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
51.	Liaise with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services.	Maintains responsibility for addressing this condition		Applicable	Applicable		
<b>Traffic, transport and road safety</b>							
52.	<p>A Traffic Management Plan and Haulage Plan would be developed for construction traffic prior to commencing construction activities and would be approved by RMS and the Department of Planning &amp; Infrastructure in consultation with Council. The plans shall address, but not necessarily be limited to:</p> <ul style="list-style-type: none"> <li>• The origin, number, size, frequency and final destination of vehicles entering/exiting the site.</li> <li>• Loads, weights and lengths of haulage and construction related vehicles and the number of movements of such vehicles.</li> <li>• The management and coordination of the movement of construction and personnel vehicles to the site and measures to limit disruption to other motorists, emergency vehicles and school bus timetables.</li> <li>• Scheduling of haulage vehicle movement to minimise convoy length or platoons. Consideration should be given to minimise the route length for road transport of all over size and over mass loads to minimise the impact on traffic.</li> <li>• Details of intersection improvement works in accordance with Austroads <i>Guide to Road Design 2010</i> and RMS Supplements.</li> <li>• A full and independent risk analysis and inspection of the proposed transport route(s) with procedures for reporting and remediating any damages caused by oversize/overmass traffic.</li> <li>• A commitment from the proponent to provide funding for the maintenance and repair of any affected classified roads</li> </ul>	Maintains responsibility for addressing this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage		

Nyngan Solar Plant Staging Report

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	<p>for the duration of transportation of oversize and overmass vehicles and loads, to the satisfaction of RMS.</p> <ul style="list-style-type: none"> <li>Assessment of road condition prior to construction on all local roads that would be utilised.</li> <li>Community consultation regarding traffic impacts where sensitive receiver exceedances are predicted.</li> <li>Consideration of bus schedules (particularly school buses and Countrylink services) and safe interaction between buses and construction traffic, incorporating: <ul style="list-style-type: none"> <li>Documented vehicle safety procedures regarding the school bus.</li> <li>Driver training requirements.</li> <li>Community consultation regarding impacts to bus routes.</li> </ul> </li> <li>Traffic controls (speed limits, signage etc).</li> <li>Procedure to monitor traffic impacts and adapt controls (where required) to reduce the impacts.</li> <li>Provision of a contact phone number to enable any issues or concerns to be rapidly identified and addressed through appropriate procedures.</li> <li>Reinstatement of pre-existing conditions, where required.</li> <li>Assessment of road routes to minimise impacts on transport infrastructure.</li> <li>Scheduling of deliveries of major components to minimise safety risks (on other local traffic including buses).</li> </ul>						
53.	<p>AGL would obtain all required permits and licences from RMS prior to conducting any work in the Barrier Highway road corridor, including, as may be required:</p> <ul style="list-style-type: none"> <li>A Works Authorisation Deed (WAD) between the developer and RMS prior to work commencing.</li> <li>A Road Occupancy Licence prior to any works commencing on or adjacent to the Barrier Highway.</li> <li>Special permits (if necessary) for oversize/overmass vehicles.</li> </ul>	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		

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54.	AGL would install gates, grids or similar structures at least 20 metres from the edge of the road on the Barrier Highway to provide for suitable storage capacity for the largest class of vehicle accessing the site.	Maintains responsibility for addressing this condition	Applicable				
	<b>Resource use and waste management</b>						
55.	A Waste Management Plan (WMP) would be developed to minimise wastes. It would include but not be limited to: <ul style="list-style-type: none"> <li>• Identification of opportunities to avoid, reuse and recycle, in accordance with the waste hierarchy</li> <li>• Quantification and classification of all waste streams</li> <li>• Provision for recycling onsite</li> <li>• Provision of toilet facilities for onsite workers and how sullage would be disposed of (i.e., pump out to local sewage treatment plant)</li> <li>• Provision of disposal at facilities permitted to accept the waste.</li> </ul>	Maintains ultimate responsibility for ensuring that the contents of individual contractor subplans are able to satisfy this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage		
56.	Excess subsoil would be removed from the site and disposed of at an appropriate fill storage site.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		
57.	Excess topsoil would be retained and used in site rehabilitation.	Maintains responsibility for addressing this condition	Applicable	Applicable	Applicable		

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<b>Fire and bush fire</b>							
58.	<p>Develop a Bush Fire Management Plan with input from the RFS to include but not be limited to:</p> <ul style="list-style-type: none"> <li>• Management of activities with a risk of fire ignition.</li> <li>• Management of fuel loads onsite.</li> <li>• Storage and maintenance of fire fighting equipment, including siting and provision of adequate water supplies for bush fire suppression.</li> <li>• The below requirements of <i>Planning for Bush Fire Protection 2006</i> - <ul style="list-style-type: none"> <li>○ Identifying asset protection zones.</li> <li>○ Providing adequate egress/access to the site (s4.1.3).</li> <li>○ Emergency evacuation measures (s4.2.7).</li> </ul> </li> <li>• Operational procedures relating to mitigation and suppression of bush fire relevant to the solar plant.</li> <li>• Post-fire clean up procedures, including the need for sampling for emissions of cadmium and lead, where appropriate.</li> </ul>	Maintains ultimate responsibility for ensuring that the contents of individual contractor subplans are able to satisfy this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage	Subplan prepared specific to this stage	Subplan prepared specific to this stage
<b>Historic heritage</b>							
59.	Should an item of historic heritage be identified, the Heritage Branch (Office of Environment and Heritage) would be contacted prior to further works being carried out in the vicinity.	Maintains responsibility for satisfying this condition	Applicable	Applicable	Applicable		
<b>Soil and water (includes water use)</b>							
60.	Site specific Erosion and Sediment Control Plans would be prepared, implemented and monitored during the project, in accordance with Landcom (2004), to minimise soil and water impacts. These plans would include provisions to ensure any discharge of water from the site is managed to ensure ANZECC (2000) water quality criteria are met and traffic generated soil erosion is minimised.	Maintains ultimate responsibility for ensuring that the contents of individual contractor subplans are able to satisfy this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage		

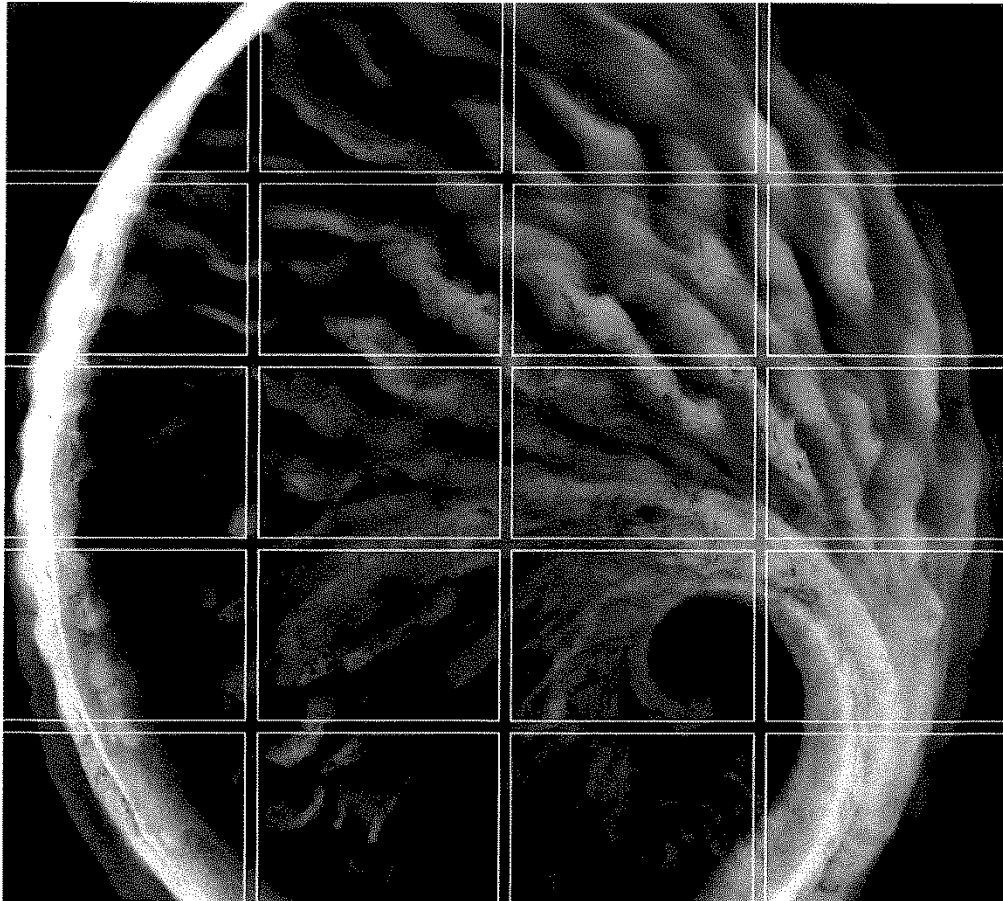
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61.	<p>A Spill Response Plan would be developed to:</p> <ul style="list-style-type: none"> <li>• Manage the storage of any potential contaminants onsite.</li> <li>• Mitigate the effects of soil contamination by fuels or other chemicals (including emergency response and EPA notification procedures).</li> <li>• Prevent contaminants affecting adjacent pasture and dams.</li> </ul>	Maintains ultimate responsibility for ensuring that the contents of individual contractor subplans are able to satisfy this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage		
62.	<p>If water is required from the local water supply authorities, access would be obtained prior to commencement of activities in consultation with:</p> <ul style="list-style-type: none"> <li>• Cobarr Water Board, for water from the Cobarr Water pipeline.</li> <li>• Bogan Shire Council, for water from the local council supply.</li> </ul>	Maintains responsibility for satisfying this condition	Applicable	Applicable	Applicable		
63.	<p>Dust suppression activities would be undertaken, including:</p> <p><u>During construction and decommissioning</u></p> <ul style="list-style-type: none"> <li>• A water cart (truck) would be utilised routinely, wetting all access roads and exposed dusty surfaces as appropriate to the conditions of the project site.</li> <li>• Stockpiled topsoil and other materials that exhibit significant dust lift off would be wet down routinely and as appropriate.</li> <li>• Stabilising techniques and/or environmentally acceptable dust palliatives will be utilised if the wetting down of surfaces prove to be ineffective.</li> </ul> <p><u>During operation</u></p> <ul style="list-style-type: none"> <li>• Any area that was temporarily used during construction (laydown and trailer complex areas) would be restored back to original condition or re-vegetated with native plants.</li> <li>• Areas that may not have been hard packed but have been disturbed in some form would be treated with environmentally acceptable dust palliatives and / or vegetated (e.g., by means of hydro seeding) with seeds native to the area.</li> </ul>	Maintains responsibility for satisfying this condition	Refer to Section 2.1	Subplan prepared specific to this stage	Subplan prepared specific to this stage	Subplan prepared specific to this stage	Subplan prepared specific to this stage

*Nyngan Solar Plant Staging Report*

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Cumulative impacts							
64.	Should the Nyngan Scandium Project receive development approval, EMC Metals Corp would be consulted by the Nyngan Solar Plant proponent to determine if construction traffic for the respective proposals could be scheduled to minimise cumulative impacts to third parties.	Maintains responsibility for satisfying this condition					

7.2 Appendix B – Independent External Audit Report, Nyngan Solar Power Station, ERM.



**Nyngan Solar Power Station**  
*Independent Environmental Audit*

First Solar

June 2015

0299253 Final

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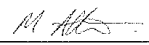
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## Nyngan Solar Power Station *Independent Environmental Audit*

First Solar

June 2015

Approved by:	<u>Thomas Muddle</u>
Position:	<u>Project Manager</u>
Signed:	
Date:	<u>3 June, 2015</u>
Approved by:	<u>Mike Atkinson</u>
Position:	<u>Partner</u>
Signed:	
Date:	<u>3 June, 2015</u>

Environmental Resources Management Australia Pty Ltd

0299253 Final

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This report has been prepared in accordance with the scope of services described in the contract or agreement between Environmental Resources Management Australia Pty Ltd ABN 12 002 773 248 (ERM) and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client and ERM accepts no responsibility for its use by other parties.



**FINAL REPORT**

First Solar

Nyngan Solar Power Station  
*Independent Environmental  
Audit*

June 2015

Reference: 0299253

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1 INTRODUCTION

1.1 BACKGROUND

Environmental Resources Management Australia Pty Ltd (ERM) was engaged by First Solar Australia Pty Ltd (First Solar) to undertake an Independent Environmental Audit of the AGL-owned Nyngan Solar Plant located off the Barrier Highway, Nyngan, New South Wales (henceforth, the 'Site'). The purpose of the audit was to satisfy a requirement of the NSW Department of Planning and Infrastructure (DP&I) now the NSW Department of Planning and Environment (DP&E) pursuant to Conditions of Consent for development application number SSD-5355 (CoC).

This report sets out the audit purpose, methodology and detailed assessment findings. The audit was conducted on Thursday 14 and Wednesday 15 May 2015 and included extensive document review in the weeks preceding and following the site visit.

1.2 AUDIT OBJECTIVES

The objectives of ERM's audit were to:

- a) satisfy CoC C16 which requires the implementation of a compliance tracking program including a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- b) verify compliance with the relevant CoC and revised environmental mitigation measures (REMM);
- c) review the adequacy and implementation of First Solar Construction Environmental Management Plan against stated objectives and targets including ability to address compliance with CoC; and
- d) recommend measures or actions to improve the environmental performance of the Site to meet the conditions of the development consent.

1.3 AUDIT SCOPE

Condition C16 of the CoC requires that:

*Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:*

- a) *provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, prior to the commencement of operation of the development 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 Director-General 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 consent relevant to their respective activities.*

First Solar has prepared and implemented a Construction Environmental Management Plan (CEMP) covering their construction works on the Site which includes a Compliance Tracking Program. This CEMP includes the following statements in relation to auditing to be undertaken by the First Solar Environmental Manager and has received DP&E approval:

*"The audit shall include, but not be limited to, the following:*

- *Determine whether or not the First Solar CEMP has been effectively implemented and maintained.*
- *Check and confirm that all actions listed in CEMP-B are being completed and signed off (refer to CEMP-B Environmental Management Activities) by the Site Environmental Advisor.*
- *Evaluate the implementation of the First Solar CEMP against the Objectives and Targets outlined in Section 5 of the CEMP (overarching document).*
- *Check that the routine site records are being maintained and filed by the Site Environmental Advisor.*
- *Review of the CEMP Review's being undertaken by the Site Environmental Advisor to ensure that the reviews are being undertaken in accordance with this plan.*
- *Review of Incident Management (CEMP-Q Incident Management Protocol) to ensure that reporting requirements, incident investigations and incident close outs are occurring in accordance with the CEMP.*

- *Review of compliance against the documentation identified in Condition A2 (as it relates to the Construction Phase and the activities of First Solar), including a review of compliance against the Development Consent Conditions.*
  - *Discuss implementation of the CEMP with the First Solar Construction Manager and First Solar Environmental to confirm all elements of the CEMP remain applicable.*
  - *Check that there are no outstanding follow-up actions that have yet to be closed off - CEMP audits will be recorded on Form-T01 (see attached).*
- 4. The final detail of the CEMP audit will be developed in consultation with the Project Environmental Representative”.*

Two internal audits have previously been undertaken under this scope by First Solar. The project Environmental Representative has advised that while the approved CEMP identifies internal auditing, CoC C16 requires an independent audit. This report constitutes the outcome of the Independent Environmental Audit.

#### 1.4

#### SCOPE OF WORKS

The audit applies to First Solar (and their subcontractors) construction activities on site. The First Solar CEMP notes that a second CEMP is being prepared for the power station’s grid connection by a separate contractor. The grid connection works for the Nyngan Solar PV Power Station is not under the mandate of First Solar and compliance status of this second contractor has not been assessed as part of this audit.

ERM assessed the environmental compliance status all First Solar construction related conditions as identified in the Nyngan Solar Plant Staging Report. ERM has also assessed some construction related compliance conditions that remain the responsibility of AGL. For each Condition of Consent audited, ERM undertook the following:

- Evaluated relevant data and reports to substantiate whether the condition has been met;
- Identified any data gaps, inconsistencies, errors, uncertainties and non-compliances;
- Assessed the reliability and quality of information provided;
- Conducted interviews with the Environmental Representative and selected First Solar and AGL employees;
- Assessed environmental management performance; and
- Completed a summary of findings and recommendations.

Issues relating to health and safety are outside the scope of the audit, except where they are directly related to environmental issues.

The site inspection concentrated on assessment of the effectiveness of environmental management and adequacy of performance.

Where actions had been previously assessed by a statutory authority, ERM relied on the findings of the authority and did not reassess the relevant sections of the condition (e.g. if a CoC required approval of a management plan by a statutory authority, ERM relied on the approval letter from the statutory authority that the plan was prepared in accordance with the detailed requirements of the CoC).

#### 1.5 *PERSONNEL AND TIMING*

The approval of an independent auditor by the Director General is not required by the CoC or CEMP. Thomas Muddle of ERM, an appropriately qualified and experienced Auditor, undertook the site visit, document review and audit report preparation.

The environmental audit was conducted on 14 and 15 May 2015.

The following personnel were interviewed during the course of the audit:

- **Turlough Guerin** - First Solar Environmental Lead;
- **Michael Law** - First Solar Project Manager;
- **Matt Turnbull** - First Solar Construction Manager;
- **Glenys Millar** - First Solar Health, Safety and Training Administrator;
- **Adam Mackett** - AGL Project Manager; and
- **Michael Woolley** - DP&E Approved Environmental Representative.

ERM would like to take this opportunity to thank the First Solar management team for their assistance during the audit process. The audit was open and constructive, and ran smoothly throughout.

#### 1.6 *LIMITATIONS*

This disclaimer, together with any limitations specified in the report, apply to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on: (a) client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM does not accept responsibility for

omissions or inaccuracies in the client/third party information; and (b) information taken at or under the particular times and conditions specified, and ERM does not accept responsibility for any subsequent changes. This report has been prepared solely for use by, and is confidential to, the client and ERM accepts no responsibility for its use by other persons. This report is subject to copyright protection and the copyright owner reserves its rights. This report does not constitute legal or financial advice.

2 *AUDIT PROCESS*

The Independent Environmental Audit was conducted against each Condition of Consent (CoC). The audit process at the Site included:

- off-site planning for the site audit;
- collection of relevant background documentation;
- an opening meeting;
- collecting audit evidence through information gathering, observations and interviews;
- site inspections;
- a close out meeting;
- evaluating audit documentation;
- feedback from First Solar; and
- compiling this audit report.

2.1 *AUDIT TERMINOLOGY*

Compliance status of each condition audited was recorded as:

- **Compliant (C)** - for current full compliance;
- **Indeterminate (I)** - Where evidence suggests that the intent of a condition has been satisfied but additional evidence or action is required to demonstrate full compliance or where clarification of the condition was being sought from the DP&E or ER;
- **Non-Compliance (NC)** - where evidence or lack of evidence renders ability to demonstrate current compliance impossible; and
- **Not Triggered (NT)** - where the condition has not been triggered by First Solar activities to date.

2.2 *OPENING MEETING*

The opening meeting was held at the Site office on 14 May 2014. The opening meeting was attended by Thomas Muddle of ERM (Lead Auditor), Turlough Guerin (First Solar Environmental Lead), Michael Law (First Solar Project Manager), Matt Turnbull (First Solar Construction Manager) and Mr Michael Woolley (DP&E approved Environmental Representative).



An explanation of the independent audit process was provided and it was emphasised that the audit would not be able to address compliance status of Contractors undertaking work outside of First Solar's control. It was also stated that the audit report would be based on objective evidence.

### 2.3 *AUDIT*

Site inspections were undertaken by Thomas Muddle and Turlough Guerin on 14 May and 15 May 2015 and included observations of the following areas:

- First Solar Construction Compound and main laydown area;
- Solar Array area;
- Storage area for cardboard, wood and plastic materials from used packaging;
- main access road and site perimeter;
- retained vegetation and habitat improvement area (Area 2);
- former vehicle refuelling area; and
- area adjacent to Transmission line and substation.

Turlough Guerin provided assistance with collecting audit evidence by providing ERM with appropriate documentation for each approval condition. Adam Mackett provided evidence to support Conditions where AGL retained full responsibility and Michael Woolley provided evidence relevant to the performance of the Environmental Representative role.

### 2.4 *CLOSING MEETING*

The closing meeting was conducted on 15 May, 2015 before leaving Site and included a discussion of preliminary audit findings. Thomas Muddle of ERM and Turlough Guerin and Matt Turnbull of First Solar attended the meeting.

### 2.5 *AUDIT REPORT*

AGL is required to publish details of the outcome of this Independent Environmental Audit on its website. AGL's communicated intent is to present relevant details, findings and recommendations to the Community Consultation Committee (CCC) and subsequently publish meeting minutes and presentation slides on the dedicated project website to address this requirement.

3 *SITE DESCRIPTION*

The subject property is located within the Bogan Shire in Western NSW. The subject property to which the CoC relate comprises the following lots of land, being legally identified as:

- Lot 34 DP751328;
- Lot 24 DP751328;
- Lot 8 DP724628;
- Lot 7300 DP1156652;
- Lot 25 DP1181299; and
- the Barrier Highway Road Reserve.

It is noted since consent was granted some lot descriptors have changed. Land within the scope of the audit is as follows:

- Lot 341 DP1198011 – Solar array areas,
- Lot 340 DP1198011 – substation compound;
- Lot 24 DP751328 – property traversed by site access from the Barrier Highway and part of transmission line;
- Lot 7300 DP1156652 – Crown Land reserve south of barrier highway (only audited in the context of securing easement) with construction work in this lot not undertaken by First Solar; and
- Barrier Highway road reserve.

Lots not mentioned have either been replaced through subdivision or are only affected by transmission line construction activities and are outside the scope of the audit. It is also noted that the accommodation camp is approved separately and does not form part of the scope of the audit.

3.1 *SITE SURROUNDINGS*

The site is located in cropping land and immediate surroundings were comprised of the following land uses:

- North: Remnant vegetation strip followed by extensive cropping land;
- East: Remnant vegetation strip followed by extensive cropping land and a grain storage and intermodal facility located 5 km to the east and Nyngan residential areas over 6 km east;

- South: The Barrier Highway, crown land reserve, and the nearest residential receiver (Tikkara) located over 2 km south of the site; and
- West: The site is bound by a remnant vegetation strip and extensive cropping land with a residential receiver (Redlands) located over 2.5 km to the east.

The nearest waterway is Whitbarrow Creek located 500 metres south east of the site.

### 3.2 *CURRENT OPERATIONS*

The Site is reaching completion of the construction stage of development and is in the process of being fully commissioned. Remaining construction activities at the time of the audit included demobilisation of construction facilities, management of significant quantities of virgin wood pallets, cardboard and plastic wrapping associated with shipping of solar panels, and completion of rehabilitating activities.

4 *AUDIT FINDINGS*

4.1 *PREVIOUS INTERNAL AUDIT*

First Solar has undertaken two internal audits of CEMP implementation in June 2014 and April 2015. The findings of this previous report were reviewed and considered during the development of this report.

4.2 *COMPLIANCE WITH CONDITIONS OF CONSENT*

First Solar and AGL were able to demonstrate compliance with all but three Conditions audited in association with First Solar construction activities.

Three Indeterminate findings were recorded as follows:

- CoC A6 requires permanent buildings to be constructed in accordance with Building Code Australia with First Solar completing an inspection of relevant clauses and confirming compliance but proposing to seek confirmation from an accredited BCA assessor;
- CoC C4 requires the preparation and implementation of an Operational Environmental Management Plan and that the plan be submitted at least one month prior to operations commencing for approval of the Director General. A plan intended to fulfil this requirement has been prepared was reported to be ready for submittal to the DP&E. Depending on date of commencement of operations this condition may be triggered and be in non-compliance; and
- CoC C8 requires that the Applicant notify potentially material incidents at the earliest opportunity and all other incidents as soon as practicable to the Director-General. First Solar has recorded three environmental events (minor hydraulic fluid spills) as incidents but no notification to the Director-General had occurred at the time of the audit. Clarification of the intent of the condition is being sought from DP&E on the basis that any incident that has no potential to materially harm the environment is by definition trivial in nature and it is conceivable that the Director-General would not be interested in such notifications. AGL are seeking legal advice on the interpretation of this condition.

In relation to finding for CoC C8 it is apparent that more recent Consents for similar projects do not require notification of the Director-General of all incidents. An instrument of consent subject to a Land and Environment Court ruling contains a requirement that impacts with material off-site impacts require notification but does not require notification of all incidents.

The detailed findings of the audit are provided in *Table 1* below.

Table 1 Audit Findings

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
<b>Audit of CEMP Implementation</b>					
	Determine whether or not the First Solar CEMP has been effectively implemented and maintained.	CEMP-C records.	First Solar CEMP is effectively implemented Based on findings below.	C	
	<p>Check and confirm that all actions listed in CEMP-B are being completed and signed off (refer to CEMP-B Environmental Management Activities) by the Site Environmental Advisor.</p> <p>Preparation of CEMP Staging Document and CEMP consistent with Conditions C2, C3 and A2.</p> <p>Obtain written approval for CEMP from Director General;</p> <p>Develop Site Specific WEAC Training Induction;</p> <p>Ecological pre-clearance surveys and Installation of environmental signage, flagging and exclusions;</p> <p>Provision for Environmental Manager to review and require changes to all activities posing environmental risks.</p>	<p>NGH Environmental (march 2014) Nyngan Solar Plant Staging Report</p> <p>First Solar (2015) Construction Environmental Management Plan: Nyngan Solar PV Power Station revision H approved by ER 3 May 2015.</p> <p>WEAC training induction (Version 3) and information management system records.</p> <p>Department of Planning and Infrastructure letter dated 24 March 2014 .</p>	<p>Sighted and reviewed content of NGH Environmental (march 2014) Nyngan Solar Plant Staging Report.</p> <p>Sighted and reviewed appropriateness of content of First Solar (2015) Construction Environmental Management Plan: Nyngan Solar PV Power Station revision H approved by ER 3 May 2015.</p> <p>Letter includes formal approval of First Solar CEMP revision E with subsequent revisions approved by ER.</p> <p>Comprehensive Information system (Pegasus) includes full records of inductions including inductee name, dates of inductions, additional qualifications, induction examination records amongst other items.</p> <p>APP - SMP:05B JHA Review Checklist sighted.</p> <p>Exclusion zone signage observed around site.</p> <p>Form D01 weekly inspection includes checks on JSAs in the field and is used to document environmental sign-off on environmental risks of activities.</p>	C	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	<p>Evaluate the implementation of the First Solar CEMP against the Objectives and Targets outlined in Section 5 of the CEMP.</p> <p>Construction to be undertaken in accordance with the Nyngan Development Consent.</p>	Refer below	Refer to CoC audit findings below which confirm no current non-conformances.	C	CEMP / OEMP would benefit from clear definition of what constitutes an environmental incident that allows for regular internal reporting of environmental hazards and events without triggering need for reporting under CoC of non-material events.
	Compliance with all environmental legal requirements.	Visual observations.	No breaches of legal requirements were observed or reported during the audit.	C	
	Effective implementation of CEMP Appendices to ensure best practice environmental management.	<p>Form D01 Weekly Inspection Checklists;</p> <p>SSD-5355 Corrective Action Reports.</p> <p>Nyngan EPC monthly meetings (12 December 2014 meeting minutes sighted).</p>	Weekly inspections identify departures from CEMP Appendices and follow-up actions required. Departures are tracked through rolling actions register attached to inspection forms (Corrective Actions Reports), raised through various avenues with people responsible including Safety Corrective Action Register (SCAR), Contractor Interface meetings and elevated to AGL via Jacobs as the EPC contract manager for resolution as required via Nyngan EPC monthly meetings (12 December 2014 meeting sighted).	C	
	Minimise environmental complaints and adequately address any environmental complaints in a timely manner.	Complaints register and confirmation from AGL and First Solar that no complaints related to environmental performance have been received.	<p>No complaints have been received by First Solar.</p> <p>AGL communicated the receipt of two employment based complaints.</p>	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	Minimise, avoid and appropriately manage all environmental incidents.	Form Q01 Incidents Register	<p>Three incidents recorded on form Q01 all related to spills from hydraulic hoses. No incidents were considered to have the potential to cause material harm to the environment.</p> <p>Three recorded incidents have occurred related to hydraulic fluid spills with register providing information of corrective actions.</p>	C	
	Minimise, avoid and appropriately manage all environmental non-conformances.	<p>Form Q02 Event Notification and Investigation Report.</p> <p>SSD-5355 Corrective Action Report dated 10 May 2015</p>	<p>Non-conformances with CEMP recorded in weekly site inspections with follow-up through SCAR and Contractor interface meetings until closed out. SSD-5355 Corrective Actions report WE 10 May 2015 has six open or ongoing corrective actions relating to fauna entrapment risk under PVIS building. Compaction of previously scarified surfaces by vehicles, new chemicals in Operation and Maintenance building requiring risk assessment and inclusion in Hazardous Chemicals Register, small volume of concrete to be correctly disposed, Felled trees along access way requiring relocation to Area 2 (in progress) and landscape planting required to be commenced by AGL.</p>	C	
	Undertake environmental site audits and inspections in a timely manner.	<p>Form D01 Weekly Inspection Checklists.</p> <p>Monthly ER inspections.</p>	<p>Weekly inspections are consistently undertaken by First Solar Environmental Lead as described above. Monthly ER inspections are undertaken consistently. Two internal audits have been undertaken to date in addition to the current independent audit the topic of this report.</p>	C	
	All staff to be aware of their environmental obligations and to be competent in relation to their environmental responsibilities.	Information Management System (Pegasus) content demonstrated by Health, Safety and Training Coordinator.	<p>Most recent weekly inspection dated 12 May 2015 indicated 800 workers have undergone WAEC training. Compliance with obligations is assessed through weekly inspections as discussed above.</p> <p>Information Management System contains training and induction records including addition training for specific tasks including fauna handling.</p>	C	



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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	Check that the routine site records are being maintained and filed by the Site Environmental Advisor.	Examples of all forms listed in CEMP-A were requested and supplied.	Routine site records are maintained and filed in hard copies by the Site Environmental Lead and were available for inspection as part of the audit.	C	
	Review of the CEMP Review's being undertaken by the Site Environmental Advisor to ensure that the reviews are being undertaken in accordance with this plan.	Form T01 CEMP Auditing and Review Register.	Two reviews have been undertaken of the CEMP in response to internal audits and are recorded on Form T01. No record of CEMP review in relation to recorded incidents (hydraulic hose failures) although investigation and close out was undertaken identifying root causes and it is noted that requirement to maintain vehicles is addressed in CEMP. Revised spill procedure incorporated into CEMP version F as a result.	C	First Solar may consider whether there would be a benefit in adding additional clarity on what constitutes an incident to the CEMP or OEMP, when an incident should trigger review and to what extent. Completion of T01 form in response to all incidents should be considered.
	Review of Incident Management (CEMP-Q Incident Management Protocol) to ensure that reporting requirements, incident investigations and incident close outs are occurring in accordance with the CEMP.	CEMP-Q Incident Management Protocol  Form Q02 Event Notification and Investigation Report  Form Q01 Incidents Register	Incident Management Protocol includes conflicting information on the need to report all incidents regardless of materiality. Incident investigation and close out are occurring and are recorded in Incident Register and Safety Corrective Action Register.	C	First Solar in consultation with AGL and ER should consider modification of CEMP-Q to clarify reporting requirements. Discussed further in assessment of CoC C8.
	Review of compliance against the documentation identified in Condition A2 (as it relates to the Construction Phase and the activities of First Solar), including a review of compliance against the Development Consent Conditions.		Refer below. No non-conformances with CoC identified. Some conditions where compliance status is indeterminate are described below and are to be addressed by First Solar and AGL and reported to the Director General as part of pre-operational compliance report.	C	
	Discuss implementation of the CEMP with the First Solar Construction Manager and First Solar		Discussion with First Solar Construction Manager indicates CEMP remains applicable in most part but will cease to be applicable shortly following completion of	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	Environmental to confirm all elements of the CEMP remain applicable.		construction works. Transition to Operational EMP has commenced with OEMP under preparation and requirements discussed with O&M staff.		
	Check that there are no outstanding follow-up actions that have yet to be closed off.		Audit follow-up actions include commissioning of independent audit (completed) and undertaking visual landscape planting (pending).	C	
<b>Audit of Applicable Conditions of Consent</b>					
A1.	The Applicant shall implement all reasonable and feasible measures to prevent and/or minimize any harm to the environment that may result from the construction, operation or decommissioning of the development.	Visual Observations.  Audit findings below.	No evidence to suggest that material environmental harm has occurred as a result of construction works outside that predicted, assessed and approved under the project Consent. Works have been undertaken generally in accordance with the CEMP which includes reasonable and feasible measures to protect the environment.	C	
A2.	The Applicant shall carry out the development generally in accordance with the: a) State Significant development Application SSD-5355; b) Nyngan Solar Plant Environmental Impact Statement prepared by ngh environmental dated March 2013; c) Nyngan Solar Plant Submissions Report prepared by ngh environmental dated June 2013; d) conditions of this consent.		Construction related commitments and mitigation measures are generally established in the Revised Environmental Mitigation Measures (REMMs) contained in the Submissions Report. This audit has assessed compliance with the Conditions of Consent and REMMs and while some improvement recommendations have been made it is considered that the construction phase of the development has been carried out generally in accordance with the listed requirements.	C	
A3.	If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency.	Not applicable	Noted and considered above.	NA	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
A4.	<p>The Applicant shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:</p> <p>a) any reports, plans or correspondence that are submitted in accordance with this consent; and</p> <p>b) the implementation of any actions or measures contained within these documents.</p>	<p>Personal Communication by AGL Project Manager and First Solar Environmental Lead during audit.</p>	<p>Interviews with First Solar Environmental Lead and AGL Project manager indicate that no specific instruction from the Director General has been received.</p>	C	
A5.	<p>The Applicant may elect to construct and/ or operate the development in stages. Where staging is proposed, the Applicant shall submit a Staging Report to the Director-General prior to the commencement of the first proposed stage. The Staging Report shall provide details of:</p> <p>a) how the development would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence; and</p> <p>b) details of the relevant conditions of development consent, which would apply to each stage and how these shall be complied with across and between the stages of the development.</p> <p>Where staging of the development is proposed, these conditions of consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).</p>	<p>Department of Planning and Infrastructure Letter dated 24 March 2014 Title Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report Condition A5).</p> <p>NGH environmental (March 2014) Nyngan Solar Plant STAGING REPORT. (Available at <a href="http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/environment">http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/environment</a>)</p>	<p>Staging report reviewed and includes how each requirement is addressed. Report includes a table describing each condition and indicating each stage to which the condition is applicable.</p> <p>Letter from DP&amp;I dated 24 March 2015 confirms receipt for information of Staging Report.</p>	C	<p>AGL or First Solar should action the requirement to provide DPE with an updated Staging Report (or advice that no changes to staging are proposed) prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.</p>

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
A6	The Applicant shall 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 BCA.	APP-SMP 20G HSE Inspection Form	First Solar have conducted HSE inspections of new permanent buildings which include the operations and maintenance building; site control centre and photovoltaic interconnection switchgear building (form APP-SMP 20G HSE Inspection Form - Portable / Permanent Buildings sighted dated 13 May 2015 and include confirmation of compliance with relevant clauses of the BCA). It is understood that third party certification is being sought.	I	Condition outside the environmental scope of the audit. First Solar have taken reasonable steps to ensure compliance with BCA requirements but categorical evidence of compliance in form of accredited BCA assessor has not been obtained.
A9.	Prior to the commencement of construction, the Applicant shall provide written evidence to the satisfaction of the Director-General that the lease agreements with the relevant landowners have adequate provisions to require that decommissioning occurs in accordance with this consent, and is the responsibility of the Applicant.  This condition does not apply if the Applicant is the landowner.	NGH (March 2014) Pre-construction Compliance Report NYNGAN SOLAR PLANT.	The Pre-Construction Compliance Report states that AGL is the landowner of Lot 34 (DP 751328) hence this requirement is not triggered.	NT	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
A10.	The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.	Worker Environmental Awareness and Compliance Training  Information Management System.	Information Management System (Pegasus) content demonstrated through HS and Training Administrator. Most recent weekly inspection dated 12 May 2015 indicated 800 workers have undergone WAEC training. Compliance with obligations is assessed through weekly inspections. Information Management system contains training and induction records including addition training for specific tasks including fauna handling. Compliance is monitored and issues addressed through implementation of CEMP including HSE inspections, (two inspections per employee per week). Safety Corrective Action Register (SCAR) used to track completion and close out of identified non-conformances including through assigning actions, collecting evidence and stored outcomes.	C	
A11.	The Applicant shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.	NA	Noted. While AGL remains ultimately responsible for environmental impacts, responsibility for day to day environmental performance is assigned to contractors including First Solar through appropriate contractual measures.	NA	
A12.	In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.	NA	Noted. First Solar Environmental Lead reported, and AGL Project Manager confirmed, that no disputes have arisen between the applicant and any public authority.	NT	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B1.	<p>Unless otherwise approved by the Director-General, the location of Ancillary Facilities shall:</p> <p>a) be located more than 50 meters from a waterway;</p> <p>b) be located within or adjacent to the Site;</p> <p>c) have ready access to the road network;</p> <p>d) be located to minimise the need for heavy vehicles to travel through residential areas;</p> <p>e) be sited on relatively level land;</p> <p>f) be separated from nearest residences by at least 200 meters (or at least 300 meters for a temporary batching plant);</p> <p>g) not require vegetation clearing beyond that already required by the development;</p> <p>h) not impact on heritage sites (including areas of archaeological sensitivity) beyond those already impacted by the development;</p> <p>i) not unreasonably affect the land use of adjacent properties;</p> <p>j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and</p> <p>k) provide sufficient area for the storage of raw materials to minimize, to the greatest extent practical, the number of deliveries required outside standard construction hours.</p> <p>The location of the Ancillary Facilities shall be identified in the CEMP.</p>	<p>Form D01.</p> <p>ER inspection reports.</p> <p>Completed Ground Breaking Activities Checklists.</p>	<p>An Ancillary Facility is defined in the Development Consent as temporary facility for construction, including for example an office and amenities compound, construction compound, batch plant (concrete or bitumen), materials storage compound, maintenance workshop, testing laboratory or material stockpile area.</p> <p>Ancillary Facilities (as defined) are not clearly identified in CEMP and some areas outside those mapped in CEMP (but within the land to which the consent applies) were noted during the site inspection. It is apparent that the interpretation of ancillary facility may not have been consistent.</p> <ul style="list-style-type: none"> <li>a review of site plans and site inspection indicate that all ancillary facilities have been located appropriately in accordance with items a) to k) noting the following:</li> <li>Nearest waterway is located 500m south east of the site (Whitbarrow Creek);</li> <li>Ancillary facilities are wholly contained within the site noting that the workers accommodation is subject to a separate approval;</li> <li>Access available to all facilities via main site access off Barrier Highway;</li> <li>No additional need for heavy vehicle travel through residential areas as Ancillary facilities are wholly contained within the site and managed through TMP;</li> <li>All facilities located on level ground;</li> <li>Nearest residence (Tikkara) is identified in CEMP-L as over 2 km from the site;</li> <li>No ancillary facilities established in the vicinity of the previously recorded artefacts and all within areas of extensive disturbance associated with cropping.</li> <li>No perceivable impacts to neighbouring land uses identified;</li> <li>Identified cardboard and plastic waste handling area within mapped flood extent of a 100 year ARI flooding of Whitbarrow creek.</li> <li>Sufficient storage areas provided.</li> </ul>	C	<p>It is noted that some additional clearing of land mapped as exotic pasture was noted in association with sub-contractor laydown area with a process in place and being implemented to rehabilitate and ground breaking checklist requiring Environmental Lead sign-off established as a result (example viewed).</p>



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B2.	The site of all ancillary facilities shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the relevant landowner.	Visual observations;  Form D01 examples;  CEMP -H.	CEMP - H addresses rehabilitation. Evidence that rehabilitation of disused ancillary facilities was visually observed and included ripping and natural seed strike. Rehabilitation monitoring is included in weekly inspections (Form D01) and will form the basis of a decision as to whether additional seeding is required.  Further rehabilitation will be required as construction demobilisation proceeds and operations commence.	C	
B3.	The Applicant shall ensure that all development components on site are designed, constructed and operated to minimise ignition risks, provide for asset protection consistent with relevant NSW Rural Fire Services (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.	CEMP-M	A bushfire management plan has been implemented on site. Main controls are related to requirements for hot work permits prior to any activity with potential ignition risks; implementation of designated smoking area within cleared construction compound and continued communication of prohibition on smoking elsewhere on site. Prohibition of hot works on high fire danger days. Provision of a water truck with water cannon with access to various water supplies available on site. Regular informal discussions with the local RFS members were verbally reported but no formal records kept.	C	
B4.	Throughout the operational life of the development, the Applicant shall regularly consult with the local RFS to ensure its familiarity with the development, including the construction timetable and the final location of all infrastructures on the site. The Applicant shall comply with any reasonable request of the local RFS to reduce the risk of bushfire and to enable fast access in emergencies.	ngh environmental (March 2014) Nyngan Solar Plant Staging Report.	Condition not related to construction in Staging Report. Regular informal discussions held with RFS members throughout construction.	NT	Given construction progress First Solar should consider need to formally engage with RFS.

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B5.	<p>Dangerous goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:</p> <p>a) all relevant Australian Standards;</p> <p>b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and</p> <p>c) the Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin (Environment Protection Authority, 1997).</p> <p>In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.</p>	<p>Form APP SMP20B Site safety inspection checklist dated 7 February 2015;</p> <p>Form D01.</p>	<p>Dangerous goods inspections are undertaken as part of weekly site inspections (numerous forms reviewed) noting improvements required and confirming rectification in following inspections. Dangerous Goods inspections also undertaken as part of site safety inspections. A large diesel fill point was reported to have recently been removed from site following substantial completion of construction works. One 1,000 litre steel-skinned diesel tank remains on site and is connected to two large internally banded diesel generators by above ground flexible hoses. A mobile diesel tanker with approximate capacity of 10,000 litres has been used on site throughout construction.</p>	C	
B6.	<p>The Applicant shall construct and operate the development in a manner that minimises dust generation from the site, including wind-blown and traffic-generated dust as far as practicable. All development 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 development occur during construction and operation, the</p>	<p>CEMP-N Air Quality Management Plan.</p> <p>Form D01 examples.</p> <p>ER Site Inspection Report No. 13 dated 10 February 2015.</p> <p>Form H01 Ground Cover Monitoring Record.</p> <p>Form H02 Rehabilitation</p>	<p>At the time of the audit no visible dust generation was evident with limited activities occurring on site due to substantial completion of construction activities.</p> <p>There is a dust management plan for the site as per the CEMP (Appendix N) which identifies practicable measures to be implemented to minimise dust in response to visible dust leaving site.</p> <p>The CEMP is applied as evidenced by weekly site inspections which include dust observations. Works were stopped as a result of dust emissions leaving site on 16 December 2014 as noted in ER Monthly inspection record.</p>	C	<p>First Solar should consider need to work with ER to close out this open action in a timely manner through review of CEMP-N to confirm if additional measures need to be included and approved or if the issue is with the implementation of listed measures. Any additional measures or findings of the review are to be</p>

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	Applicant shall identify and implement all practicable dust mitigation measures, including cessation of relevant works during construction, planting ground covers, using dust suppressants as appropriate, such that emissions of visible dust cease.	and Revegetation Photo Monitoring Record.	<p>The main controls in effect on the site are water sprayed from water carts with one cart remaining on site but not required to operate during the inspection with no dust observed. First Solar have verbally reported that a trial of dust ameliorants has been undertaken but it results were inconclusive. With significantly decreased activity on site additional efforts are being made to implement ground cover improvements with routine monitoring confirming some success. A need for artificial seeding of disturbed areas is to be based on success of natural seed strike.</p> <p>The ER site inspection identifies an open action which includes a note that "Further controls and reduction of dirt surfaces are considered warranted to manage dusts and to comply with Condition B6 of the Project Approval. These will be checked in future inspections".</p>		<p>communicated to the operations and maintenance staff and included in the OEMP.</p> <p>With construction works completed in the near future, dust management and mitigation requirements will transition to an operational responsibility. First Solar to ensure that appropriate resources are established for the operational phase of the development to prevent visible emissions of dust from the development with focus expected to shift from routine wetting of disturbed surfaces to the establishment and maintenance of groundcover in all areas including beneath and between the solar arrays.</p>
B7.	Except as may be expressly provided by an Environment Protection Licence for the development, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.	Form Q01 Incidents Register	Noted. Solar power energy generation is not a scheduled activity requiring an Environmental Protection Licence and no EPL is held by the site. Form Q01 incidents register contains a total of three records all related to hydraulic fluid spills immediately cleaned up. No evidence exists to suggest that pollution of water has occurred and subject to ongoing appropriate storage and handling of dangerous goods and hazardous substances none is considered likely.	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B8.	Works within 40m of a watercourse are to be carried out in accordance with the Guidelines for Controlled Activities on Waterfront Land (NOW, July 2012).	NA	No works within 40 metres of a water course have been required. The EIS notes closest water course is located 500m south east of the site (Whitbarrow Creek).	NT	
B9.	Soil and water management measures consistent with Managing Urban Stormwater - Soils and Construction Vol. 1 (Landcom, 2004) shall be employed during the construction of the development to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.	CEMP-E including plans C800 and C801 illustrating locations of specific controls.  Form D01 examples.	CEMP contains sub plan E covering Soil and Water management. The flat nature of the site renders the use of sediment controls of little value but they have been installed in places in accordance with Landcom, 2004. Minimising disturbance and rehabilitating disturbed areas is seen to be key soil and water quality management measure for the site and is addressed in weekly site inspections.	C	
B10.	Waterway crossings shall be designed and constructed in consultation with NOW and DPI (Fisheries) and consistent with DPI (Fisheries) guidelines Policy and Guidelines for Fish Friendly Waterway Crossings (2004) and Fish Passage Requirements for Waterway Crossings (2004).	CEMP-E  DPI Office of Water letter dated 26 November 2013 confirming satisfaction with Nyngan Solar Plant - CEMP - Soil And Water Management Plan.	CEMP contains record of discussions with Department of Primary Industries Office of Water in relation the appropriateness of Soil and Water Management Plan.  First Solar works are not considered to involve waterway crossings with potential to accommodate fish.	C	
B11.	All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.	Form-U01 Non-Regulated Waste Register.	Non-regulated waste is collected and disposed of using licensed contractors and facilities including Sam's Liquid Waste (EPL 20507), JR Richards (EPL 4995), Bogan Shire landfill (EPL20471). Regulated waste reported to date by First Solar is limited to damaged panels to be returned to manufacturer for remanufacturing treated as regulated waste and transported by Remondis but not disposed.	C	

Reference	Requirement	Reference/Evidence Sighted	Comments	Finding	Recommendations & Findings
B12.	Waste generated outside the site shall not 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.	Site inspection and interviews with First Solar Environmental Lead.	No waste received from off-site reported by First Solar to date. No evidence to suggest waste is being received.	C	
B13.	All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (Department of Environment, Climate Change and Water, 2009), or any superseding document.	Form-U01 Non-Regulated Waste Register.	Liquid waste includes sewage and waste oil. Solid waste is limited to putrescible waste and construction and demolition waste able to be disposed to general waste landfill. Broken panels are shipped back to manufacture for re-manufacture and are transported as regulated waste. Waste streams generated are pre-classified under the applicable guidelines.	C	
B14.	Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Consultation with the relevant owner and/or provider of services that are likely to be affected by the development shall be undertaken to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Applicant.	NA	CPP Plan 472006-Roo1-1/NYCPP- CI-DWG-6070 (identifies existing 66kV power line). Plan 106333plan 20140307 (identifies existing sewer line).	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B15.	<p>The clearing of all native vegetation is to be limited to the minimal extent practicably required.</p> <p>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 C3(a).</p>	<p>CEMP-F Construction Flora and Fauna Management Plan.</p> <p>Post clearance Fauna Management Report June 2014.</p>	Native vegetation removed was limited to the former east west tree line in blocks 3 and 4. Post clearance Fauna Management Report June 2014 sighted. CEMP-F section 6.2 addresses general measures for clearing native vegetation including detailed avoidance measures.	C	
B16.	Tree trunks and major branches from cleared trees should be used, to the fullest extent practicable, to enhance habitat (Coarse woody debris) in rehabilitated areas (either in offset areas or areas adjoining impacted areas) and included in the Construction Flora and Fauna Management Plan contained in condition C3(a).	<p>REMM 6 compliance information package.</p> <p>First Solar (FS) - Nyngan Solar Plant - ER Inspection Report No. 15.</p>	Woody debris relocated to Area 2. ER inspection report includes an outstanding action to "Relocate trees to the ecological exclusion zone where other trees have already been placed" and it is noted that during this site component of the audit this activity was in the process of being completed. Next ER inspection should be used to confirm that the item is closed out.	C	
B17.	The Applicant shall design, construct and operate any overhead transmission line connection to the electricity grid with consideration to reasonable and feasible mitigation measures that can be employed to minimise the risk of bird and bat strike into electricity wires.	Pre-Construction Compliance Report.	Construction and operation of overhead power lines is not the responsibility of First Solar and is outside the scope of the audit. Nevertheless, the Pre-Construction Compliance Report includes approval for design issued by Essential Energy.	NA	
B18.	Within six months of the commissioning of the development, the Applicant shall prepare and submit a Visual Impact Verification Report for the Director-General's approval. Unless otherwise agreed to	Not applicable	Condition not related to construction stages of development. AGL has confirmed that they are progressing an engagement with an appropriate consultant to address this requirement.	NT	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	by the Director-General, the Visual Impact Verification Report shall confirm the visual impacts at each of the receptors and roadways identified in the Environmental Impact Statement, or subsequently identified in the final design work, as having the potential to be '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 and intervening screening factors). The Visual Impact Verification Report shall 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 'high' including demonstration that these measures have been determined in consultation with affected receptors and relevant road authorities.				
B19.	Within 18 months of the approval of the Visual Impact Verification Report by the Director- General (or as otherwise agreed to by the Director-General), the Applicant shall ensure that the measures identified in the Report are implemented at affected receptors and roadways as identified in the Report in consultation with the relevant residents/landowners and road authorities.	Not Applicable	Condition not related to construction stages of development. AGL has confirmed that they are progressing an engagement with an appropriate consultant to address this requirement.	NT	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B20	The Applicant shall ensure that any permanent buildings and overhead transmission lines are designed and constructed to minimise visual intrusion to nearest sensitive receptors as far as reasonable and feasible, including appropriate external finishes and landscape planting to screen views.	Visual Inspection  The landscape management plan (CEMP-G)	The landscape management plan (CEMP-G) defines colours of the permanent structures. The same plan describes the requirements for the plantings.  All permanent buildings were noted as off-white during site inspection.  Visual landscape plantings are an AGL responsibility AGL confirmed during interview that landscaping will be complete post construction with the involvement of the local community as per the CCC meetings.	C	
B21.	The Applicant shall implement a vegetation and rehabilitation program for all areas of the development footprint which are disturbed during the construction of the development but which are not required for the ongoing operation of the development including temporary construction facility sites and sections of construction access roads. The Applicant shall ensure that all vegetation 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 Director-General, the Applicant shall monitor and maintain the health of all vegetated 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 Director-General) as being well established, in good health and self-sustaining.	Form H01 Ground Cover Monitoring Records (dated 13 May 2015).  Form H02 Rehabilitation and Revegetation Photo Monitoring Record dated 3 May 2015.	Progressive rehabilitation has commenced in the form of ripping and natural re-seeding with groundcovers. Monitoring and maintenance is ongoing in the form of weekly inspections (sighted). No independent verification or approval otherwise by DG has been requested to date.	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B22.	<p>Construction activities associated with the development shall be undertaken during the following standard construction hours:</p> <p>(a) 7:00am to 6:00pm Mondays to Fridays, inclusive;</p> <p>(b) 8:00am to 1:00pm Saturdays; and</p> <p>(c) at no time on Sundays or public holidays.</p> <p>Except unless otherwise provided in condition B23.</p>	Form L01 Noise Monitoring Record.	Noting condition B23 below - Work has been undertaken on a seven days per week basis.	C	
B23.	<p>Construction works outside of the standard construction hours identified in condition B22 may be undertaken in the following circumstances:</p> <p>(a) construction works that generate noise that is:</p> <p>(i) no more that 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009); and</p> <p>(ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers; or</p> <p>(b) for the delivery of materials required outside those hours by the NSW Police Force or other authorities for safety reasons; or</p>	<p>Email from site ER granting approval for out of hours work dated 13 November 2014.</p> <p>Form L01 Noise Monitoring Record.</p>	<p>Work has been undertaken on a seven days per week basis.</p> <p>Monitoring results sighted noting that construction works are generally noted as being inaudible or when audible measured noise level was deemed compliant by First Solar environmental staff. Monitoring records are kept but it is not easily apparent how compliance was demonstrated in earlier construction periods.</p> <p>Post 13 November all out of hours work is approved by site ER. Approval for out of hours work granted by ER on 13 November 2014 (Email sighted) subject to condition that "if there were to be any complaints or concerns about noise levels as a result of construction works, First Solar will stop works and return to standard hours".</p> <p>No complaints related to noise had been received associated with the project at the time of the audit and it is apparent that no significant noise issues have arisen through out of hours works.</p>	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	<p>(c) where it is required in an emergency to avoid the loss of life, property and/or to prevent environmental harm;</p> <p>(d) works as approved through the out-of-hours work protocol outlined in the Construction Noise Management Plan required under condition C3(d).</p>				
B24.	<p>Any activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:</p> <p>(a) between the hours of 8:00 am to 5:00 pm Mondays to Fridays; (b) between the hours of 8:00 am to 1:00 pm Saturdays; and</p> <p>(c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.</p> <p>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.</p>	SLR (2013) Construction Noise Assessment (Page 11).	SLR (2013) Construction Noise Assessment (Page 11) assessed impulsive noise from post driving and determined it is not impulsive in nature at a distance greater than 25 metres.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
B25.	The Applicant shall implement all reasonable and feasible measures to minimise noise generation from the construction of the development consistent with the requirements of the Interim Construction Noise Guideline (DECC, July 2009) including noise generated by heavy vehicle haulage and other construction traffic associated with the development	CEMP  Form D01 examples.	Reasonable and feasible measures are defined in the CEMP and noted as being applied in Weekly Inspection reports and are included in WEAC training.	C	
B28.	Unless otherwise agreed by the Director-General, the Applicant shall commission an independent, qualified person or team to undertake the following in consultation with the relevant road authority:  (a) Prior to the commencement of construction of the development, the Applicant shall commission a suitably qualified road infrastructure specialist to assess the condition of all local public roads proposed to be traversed by construction traffic associated with the development in consultation with the relevant road authority, and to identify any upgrade requirements to accommodate development traffic for the duration of construction, having regard to traffic volumes. The Pre-Construction Road Report shall be submitted to the Director-General prior to the commencement of construction works, clearly identifying recommendations made by the relevant road authority and how these have been addressed. The Applicant	BECA (2013) Nyngan Solar Power Station - Pre-Construction Road Assessment.	A pre-construction road report prepared by BECA was submitted to DPE accompanying the pre-construction compliance report. The letter concludes "BECA considered that, in consultation with Bogan Shire Council, pre - construction upgrade works are not warranted, given the relatively low volume of movements, the nature of the movements and the condition of infrastructure along the route".	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	shall ensure that all upgrade measures identified in the report are implemented to meet the reasonable requirements of the relevant road authority, prior to the commencement of construction, and at no cost to the relevant road authority;				
	(b) upon determining the haulage route(s) for construction vehicles associated with the development, and prior to construction, an independent and qualified person or team shall undertake a Road Dilapidation Report. The report shall assess the current condition of relevant local road(s) and describe mechanisms to restore any damage that may result due to traffic and transport related to the construction of the development. The Report shall be submitted to the relevant road authority for review prior to the commencement of haulage;	Nyngan Local Roads Pavement Inspection Report Prepared for First Solar (Australia) Pty Ltd By Beca Pty Ltd (Beca) dated 20 December 2013.	Road dilapidation report that pre-dates construction has been prepared by BECA and notes consultation with Bogan Shire Council. First Solar and AGL have received peer review comments from SKM that indicate the report is suitable to address the requirements of CoC 28 b) and reported that the report was submitted to Bogan Council for review. AGL and First Solar report that local road impacts (if any) are related to the operation of the accommodation camp and will be addressed in accordance with the separate consent covering the camp.  The report does not include mechanisms to restore any damage that may result from the project but does recommend that the pavements be periodically monitored during the construction period.	C	While a mechanism is in place that documents pre-construction road conditions on potentially impacted roads it is not clear in the report how the responsibility for any road repairs is assigned between the power plant, workers accommodation and Council.  The absence of formal endorsement from Council leaves it uncertain what expectations exist in regard to road repairs.
	(c) following completion of construction, a subsequent report shall be prepared to assess any damage that may have resulted from the construction of the development; and	NA	Noted.	NT	First Solar should consider timing of commission of post construction road dilapidation report given construction progress.

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	(d) measures undertaken to restore or reinstate roads affected by the development shall be undertaken in a timely manner, in accordance with the reasonable requirements of the relevant road authority, and at the full expense of the Applicant.	NA	Noted.	NT	
B29.	The intersection of the site access road and the Barrier Highway shall be upgraded prior to the commencement of construction to the satisfaction of the RMS and at no cost to the relevant road authority.	RMS email dated 18 March 2014 included in Pre-Construction Compliance Report.  RMS letter dated 19 March 2014 titled Nyngan Solar Plant - Barrier Highway Site Access Detailed Design Review.  RMS letter dated 4 July 2014 titled Nyngan Solar Plant- Barrier Highway Site Access Approval to Commence Construction.	Construction commenced on the basis of RMS email dated 18 March 2014 agreeing that the intersection was suitable in its current form but that it would ultimately be upgraded.  AGL subsequently received approval of detailed design and approval to construct intersection upgrades. Site visit confirmed that intersection has been upgraded and AGL is currently applying for practical completion of works from RMS.	C	
B30.	If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with the National Parks and Wildlife Act 1974. In addition, registered Aboriginal stakeholders shall be informed of the finds. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with	Site interviews	AGL and First Solar reported during site interviews that no previously unidentified Aboriginal object had been encountered during construction works.	NT	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	the OEH and the registered Aboriginal stakeholders and written authorisation from the OEH is received by the Applicant.				
B31.	If during the course of construction the Applicant becomes aware of any unexpected historical relic(s), all work likely to affect the relic(s) shall cease immediately and the Heritage Office notified in accordance with the Heritage Act 1977. Works shall not recommence until the Applicant receives written authorisation from the Heritage Office.	Site interviews	AGL and First Solar reported during site interviews that no unexpected historical relic had been encountered during construction works.	NT	
B32.	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, is to be created prior to Operation.	NSW Valuer General Determination of Compensation notice (VOG-TD-00002).	Determination of Compensation notes that acquisition of Easement of lot 7300 in DP1156652 occurred on 3 October 2014 for the value of \$987.70.	NT	
B33.	The Applicant shall consult with the relevant landowner(s) adjoining the access road (inclusive of the owner of the property known as "Redlands" who utilises the adjoining road reserve) regarding any additional fencing required along the site access road to ensure any livestock is protected from collision risks.  Unless otherwise agreed by the Director-General, the Applicant must install a stock proof fence along the	Visual observations	Stock fence visually observed to be in place.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	western boundary of Lot 24 DP 751328, or implement other feasible means of protecting livestock from collision risks, where required by the relevant landowner, prior to construction, at the full cost of the Applicant.				
C1.	Prior to the commencement of construction of the development, or as otherwise agreed by the Director-General, the Applicant shall nominate for the approval of the Director-General a suitably qualified and experienced Environment Representative(s) that is independent of the design and construction personnel. The Applicant shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director- General. The Environmental Representative(s) shall:	Pre-Construction Compliance Report.  Department of Planning and Infrastructure date 1 October 2013 titled Re: Nyngan Solar Plant.	DPE letter approves the appointment of Michael Woolley as Environmental Representative for the Nyngan Solar Plant. At the time of the Audit Mr Woolley was still engaged as the ER and evidence of regular involvement with the project was available as discussed below.	C	
	a) be the principal point of advice in relation to the environmental performance of the development;	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports.  Interview with Mr Woolley.	The ER reported undertaking a detailed review of the CEMP and sub plans prior to commencement.  The ER is the single point of contact for AGL/First Solar/CPP.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	b) monitor the implementation of environmental management plans and monitoring programs required under this consent and advise the Applicant upon the achievement of these plans/ programs;	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports	The ER has conducted monthly inspections and issues a rolling corrective actions list advising First Solar on actions to address identified issues.	C	
	c) have responsibility for considering and advising the Applicant on matters specified in the conditions of this consent, and other licences and approvals/consents related to the environmental performance and impacts of the development;	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports	ER inspection reports include a rolling corrective actions list where the ER provides advice to First Solar in relation to the environmental performance of the development.	C	
	d) ensure that environmental auditing is undertaken in accordance with the Applicant's Environmental Management System(s);	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports	The Environmental Management System is interpreted by ER as the First Solar CEMP. Rolling corrective action looking at outstanding issues in relation to audits (sighted).	C	
	e) be given the authority to approve/ reject minor amendments to the Construction Environmental Management Plan. What constitutes a "minor" amendment shall be clearly explained in the Construction Environmental Management Plan required under Condition C2;	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports  ER CEMP version H approval Letter dated 3 May 2015)	CEMP version H has been endorsed by the ER.  The document control table in CEMP describes changes with evidence of most recent version approval sited.  A minor change to the First Solar CEMP is defined as a change that does not materially: 1. Compromise First Solar's ability or intent to comply with the documents identified in Development Consent Condition A2 2. Increase the likelihood of material environmental harm occurring.	C	

Reference	Requirement	Reference/Evidence Sighted	Comments	Finding	Recommendations & Findings
	f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur; and	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports	No requirement to direct activities to cease to date. Authority is provided through CEMP and ER approval. Contractual mechanism is in place where by AGL can direct all works to cease on site.	C	
	g) be consulted in responding to the community concerning the environmental performance of the development where the resolution of points of conflict between the Applicant and the community is required.	First Solar (FS) - Nyngan Solar Plant - ER Inspection Reports	No conflict requiring intervention has arisen to date.	NT	
C2.	The Applicant shall prepare and implement a Construction Environmental Management Plan in consultation with Council in accordance with the Guideline for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) or any replacement guideline. No construction associated with the development shall commence until written approval of this plan has been received from the Director-General or his nominee.	Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).  CEMP and sub plans.	The CEMP was reviewed and approved by DP&I on 24 March 2014 and has subsequently been revised with latest revision (CEMP Version H) reviewed and approved by the site Environmental Representative on behalf of the DP&I.  The CEMP contains a cross reference table illustrating where in the document the subsequent requirements of the CEMP are addressed.  Implementation of CEMP and sub-plans has been assessed above under CEMP Implementation audit scope above.	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C3.	As part of the Construction Environmental Management Plan required under condition C2 of this consent, the Applicant shall prepare and implement the following:				
	(a) a Flora and Fauna Management Plan, developed in consultation with the OEHL, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the development.	CEMP CEMP-F  Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).  OEHL letter dated 15 November 2013 titled RE: CEMP-F Construction Flora and Fauna Management Plan for Nyngan Solar PV Power Station.	The First Solar CEMP attachment 1 contains evidence of correspondence with OEHL culminating in a letter confirming OEHL satisfaction that their advice has been incorporated into the Flora and Fauna Construction Management Plan.  The CEMP which included the Flora and Fauna Management plan was subsequently reviewed and approved by DP&I on 24 March 2014.  CEMP-F includes Figures F01, F02 and F03 illustrating vegetation types and conditions, habitat areas and Fauna habitat respectively.  Implementation of CEMP and sub-plans has been assessed above under CEMP Implementation audit scope above.	C	
	(b) a Ground Cover Management Plan, developed in consultation with an agronomist, to outline measures to ensure adequate vegetation cover and composition beneath the solar PV array.	CEMP-I  Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 -	Section 2 of CEMP-I states that "First Solar has developed the Ground Cover Management in consultation with an agronomist (Tony Elliot and Alan Murphy from Geolyse). Additional botanical input was also provided by Colin Bower (also of Geolyse)".  The CEMP which included the Ground Cover	C	

Reference	Requirement	Reference/Evidence Sighted	Comments	Finding	Recommendations & Findings
		Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).	Management Plan was subsequently reviewed and approved by DP&I on 24 March 2014.  Implementation of CEMP and sub-plans has been assessed under CEMP Implementation audit scope above.		
	(c) a Landscape Plan, to minimise visual impacts from the solar plant.	CEMP-G  Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).	The CEMP including the Landscape Plan was reviewed and approved by DP&I on 24 March 2014.  Implementation of CEMP and sub-plans has been assessed above under CEMP Implementation audit scope above.  CEMP-G notes that some landscaping components associated with Conditions B18 and 19 fall outside the scope of the First Solar CEMP. As discussed above, AGL are progressing the implementation of vegetative screens in consultation with the community and this planting is yet to commence.	C	
	d) a Construction Noise Management Plan to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures.	CEMP-L  Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).	The CEMP including the Construction Noise Management Plan was reviewed and approved by DP&I on 24 March 2014.  Implementation of CEMP and sub-plans has been assessed above under CEMP Implementation audit scope above.	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	<p>(e) a Traffic Management Plan to manage traffic conflicts that may be generated during construction. In preparing the Plan, the Applicant shall consult with the Council and RMS. The Plan shall address the requirements of the relevant road authority...</p>	<p>CEMP-O</p> <p>Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).</p> <p>Bogan Shire Council Email dated Thursday, 29 August 2013.</p> <p>RMS letter dated 23 September 2013 titled SSD5355: Nyngan Solar Power Plant Project Transport Management Plan.</p>	<p>Attachment CEMP-01 of the CEMP, First Solar has obtained sign off from the RMS and the Bogan Shire Council with respect to the First Solar Construction TMP, dated 19th September 2013.</p> <p>The CEMP including the Construction Traffic Management Plan was reviewed and approved by DPE on 24 March 2014.</p> <p>Implementation of CEMP and sub-plans has been assessed above under CEMP Implementation audit scope above and in relation to specific CoC.</p>	C	
	<p>(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:</p> <p>Upon receipt of the Director-General's approval, the Applicant shall provide a copy of the Plan to the relevant landowner as soon as practicable.</p>	<p>CEMP-J</p> <p>Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).</p>	<p>CEMP-J includes the AGL Aboriginal Heritage Management Plan which details consultation undertaken with registered Aboriginal Stakeholders and OEH.</p> <p>For the purposes of the condition AGL are the relevant landowner.</p>	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C4	<p>The applicant shall prepare and implement an Operational Environmental Management Plan in accordance with the Guidelines for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004), or any replacement Guideline.</p> <p>The Plan will be submitted for the approval of the Director-General no later than one month prior to the commencement of Operation of the development or within such period as otherwise agreed by the Director-General. Upon receipt of the Director-Generals approval, the applicant shall make the Plan publically available as soon as practicable and provide a copy of the Plan to the relevant landowner as soon as practicable.</p>	Operational Environmental Management Plan (Plant Maintenance HSE Manual 1/5/2015.	First Solar has prepared a draft Operational Environmental Management Plan in the form of the Plant Maintenance HSE Manual dated 1/5/2015. The plan includes relevant forms and measures adapted from the CEMP. First Solar Environmental Lead confirmed that the document is under preparation.	1	Subject to timing of commencement of operation as defined in the CoC First Solar and AGL may consider the need to gain agreement from the Director-General to a delayed timeframe to satisfy this requirement.

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C5.	Following final design and prior to the commencement of construction, or as otherwise agreed to by the Director-General, the Applicant shall develop and submit a Biodiversity Offset Management Package for the approval of the Director-General. The package shall detail how the ecological values lost as a result of the development will be offset. The Biodiversity Offset Management Package shall be developed in consultation with the OEH.	<p>Biodiversity Offset Management Plan included as attachment to CEMP-F Flora and Fauna Management Plan.</p> <p>Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).</p> <p>OEH letter dated 15 November 2013 titled RE: CEMP-F Construction Flora and Fauna Management Plan for Nyngan Solar PV Power Station.</p>	<p>The First Solar CEMP attachment 1 contains evidence of correspondence with OEH culminating in a letter confirming OEH satisfaction that their advice has been incorporated into the Flora and Fauna Construction Management Plan.</p> <p>The CEMP which included the Flora and Fauna Management Plan and attached Biodiversity Offset Management Plan was subsequently reviewed and approved by DPE on 24 March 2014.</p> <p>Implementation of the Biodiversity Offset Management Plan was not assessed as part of the Audit and it is understood that implementation will not commence until the actual construction impacts of the development have been validated.</p>	C	
C8.	The Applicant shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the Applicant shall notify the Director-General and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within	<p>Form Q01 Incidents Register</p> <p>CEMP-Q</p>	<p>Three incidents have been reported to AGL in relation to hydraulic fluid spills which were small, localised and immediately cleaned up without impact.</p> <p>There is no evidence to suggest that incidents causing or threatening to cause material harm to the environment have occurred on site. Environmental incidents on the site are reported through the Incident Management Process (CEMP-Q).</p> <p>AGL confirmed that these have not been reported on to the Director General on the basis that the events are of little concern as they were immediately rectified with no</p>	I	CEMP and OEMP would benefit from clear definition of what constitutes an environmental incident that allows for regular internal reporting to AGL of environmental hazards and events without triggering need for Director-General reporting under CoC of non-material

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	<p>7 days of the date of the incident, the Applicant shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>		<p>environmental impact.</p> <p>It is apparent that the reason for not reporting all incidents regardless of level of harm is due to a miss reading of the condition which has only become apparent as part of the independent audit. AGL are seeking clarification as to the intent of the condition from DPE.</p> <p>Environmental events or hazards are captured using the Hazard Report Form (APP-CMP-20A) and subject to an agreed definition of what constitutes an incident it may be that the recorded incidents warrant reclassification. The outcome of the clarification will dictate the ultimate finding in relation to this condition.</p>		<p>harm events.</p> <p>The CEMP-Q indicates that the Applicant (AGL) shall be responsible for all notification to the Director-General and other relevant agencies. When question AGL identified that First Solar is responsible for reporting. CEMP-Q also identifies that "Not all incidents will trigger notification in accordance with Condition C8 of the Development Consent. This is discussed further in the following section". The section that follows identifies the intent to notify all material environmental harm incidents but is followed by a flow chart indicating all incidents will ultimately be notified to the Director General. It is recommended that CEMP-Q be revised to clarify responsibilities and reporting obligations in this regard and that this obligation carried into the OEMP.</p>

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C9.	The Applicant shall provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.	CEMP	CEMP established that no reporting requirements exist other than those requirements specifically addressed in the conditions that follow. General environmental performance is communicated via the CCC with minutes and presentations subsequently posted on the website.	NT	
C10	Subject to reasonable confidentiality requirements, the Applicant shall make all documents required under this consent available for public inspection on request.	AGL email correspondence.	AGL confirm that they have not had any requests for documentation.	NT	
C11.	<p>Prior to the commencement of construction, the Applicant shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the development. The Applicant shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:</p> <p>(a) the status of the development;            (b) a copy of this consent and any future modification to this consent;            (c) a copy of each relevant environmental consent, licence or permit required and obtained in relation to the development;            (d) a copy of each plan, report, or monitoring program required by this consent; and            (e) details of the outcomes of compliance reviews and audits of the development.</p>	<a href="http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/environment">http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/environment</a>	<p>Dedicated Nyngan website available contains project information including:</p> <ul style="list-style-type: none"> <li>Development status - Construction of the plant started in January 2014 and is expected to be completed by the end of June 2015. In March 2015, the Nyngan Solar Plant began generating power with the first 25 MW of renewable energy feeding into the National Energy Grid.</li> <li>Copy of consent and link to Department of Planning and Environment Major Project Register where one minor modification application and approval can be located;</li> <li>A copy of CEMPs including sub plans noting that a more recent approved version (Version H) is not provided;</li> <li>A pre-construction compliance report; and</li> <li>AGL has committed to publishing details of the findings of this audit on the website via minutes and presentation content of CCC.</li> </ul>	C	AGL should consider need to include revised CEMP and a direct link to instrument of modification of consent.



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C12.	Prior to the commencement of construction, the Applicant 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 development.	CEMP-R  Department of Planning and Infrastructure letter dated 24 March 2014 with subject of: Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).	The CEMP including the Community Consultation Plan (CEMP-R) was reviewed and approved by DPE on 24 March 2014. The plan makes reference to a broader AGL Community Consultation Plan Broken Hill and Nyngan Solar Plants which has not been reviewed.	C	
C13	Prior to the commencement of construction, the Applicant shall ensure that the following are available for community complaints for the life of the development or as otherwise agreed by the Director-General: 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 e-mail address shall be advertised in a newspaper circulating in the local 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 development. These details shall also be provided on the	<a href="http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/">http://www.agl.com.au/about-agl/how-we-source-energy/renewable-energy/nyngan-solar-plant/</a>  <ul style="list-style-type: none"> <li>Email correspondence with AGL including: Preconstruction advertorial;</li> <li>Photo of project notice (sign) board;</li> <li>copy of construction community fund advertisement (first round); and</li> <li>Advertorial for construction community fund (second round - in April).</li> </ul>	The AGL website includes Nyngan Project Contact number, postal address and email.  Evidence of advertisement of contact details sighted.  AGL also report that community engagement cards were initially distributed to the Nyngan Information Centre, Bogan Shire Council, at community events and to all project inductees and that prior to each bi-monthly community consultative committee meeting AGL place a notification in the Nyngan Observer.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	Applicant's internet site required by condition C11. 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.				
C14.	The Applicant shall record details of all complaints received through the means listed in condition C13 of this consent 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 Applicant in relation to the complaint, including timeframes for implementing the action; and f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the Director-General upon request.	Form P01 Complaints Register  Form P02 Complaints Record  Phone interview with AGL Project Manager.  Interview with First Solar Environmental Lead.	Review of First Solar complaints register has been established and indicates that no complaints have been received by First Solar. Interviews with AGL project manager and First Solar Environmental Lead confirm that while two complaints have been received to date these were related to employment disputes.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
C15.	<p>The Applicant shall provide an initial response to any complaints made in relation to the development during construction or operation within 48 hours of the complaint being made.</p> <p>The response and any subsequent action taken shall be recorded in accordance with condition C14. Any subsequent detailed response or action is to be provided within two weeks.</p>	NA	NA	NT	
C16.	<p>Prior to the commencement of construction, the Applicant shall develop and implement a Compliance Tracking Program, to track compliance with the requirements of this consent during the construction and operation of the development and shall include, but not necessarily be limited to:</p> <p>a) provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the development, prior to the commencement of operation of the development and within two years of operation commencement;</p> <p>b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;</p> <p>c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;</p>	<p>Pre-Construction Compliance Report</p> <p>CEMP section 7.4</p> <p>CEMP- Q</p> <p>CEMP-S Worker Environmental Awareness and Compliance Training</p> <p>CEMP-T CEMP Auditing and Review;</p> <p>Form D01 Weekly Inspection Checklist</p> <p>Form Q01 Incidents Register</p> <p>Form Q02 Event Notification and Investigation Report</p>	<p>First Solar's compliance tracking program is described in Section 7.4 of the CEMP. This compliance tracking program is implemented as evidenced by:</p> <p>Pre-construction compliance report dated March 2014 available;</p> <p>CEMP Audit 1 dated 27 June 2014 and actions close out record;</p> <p>CEMP Audit 2 dated 19-21 April 2015 noting non-conformance with CoC C16 in relation to independent audit closed out by this audit;</p> <p>CEMP-T CEMP Auditing and Review register completed following CEMP reviews;</p> <p>CEMP Section 9.2 includes procedure for rectifying non-compliance;</p> <p>Form Q01 used to record environmental incidents with actions resulting from incidents and hazards tracked through SCAR noting at the time of the audit all environmental actions were closed;</p>	C	<p>It is noted that First Solar has populated a Compliance Tracking Plan as a database which has been reviewed by the site ER and AGL for completeness. First Solar should consider adding reference to this Plan in the CEMP or OEMP and establishing an update frequency.</p>

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	<p>d) mechanisms for recording environmental incidents and actions taken in response to those incidents;</p> <p>e) provisions for reporting environmental incidents to the Director-General during construction and operation; and</p> <p>f) Provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.</p>	<p>Form S01 WEAC Induction Register</p> <p>Form S02 WEAC Training Register</p> <p>Form T01 CEMP Auditing and Review Register</p> <p>Safety Corrective Action Register</p>	<p>No incident reporting to DPE has occurred to date noting comments on condition C8 above. Provision for such reporting is made in CEMP-Q;</p> <p>Comprehensive Information system (Pegasus) includes full records of inductions including inductee name, dates of inductions, additional qualifications, induction examination records amongst other items.</p>		
<b>Audit of Applicable Revised Environmental Mitigation Measures</b>					
1	<p>A supplementary survey during spring (early October) prior to the finalization of the transmission line design would be conducted to confirm if threatened flora species including the Red-darling Pea and Pine Donkey Orchid inhabit the higher quality woodland vegetation south of the Barrier Highway. If these species are identified in areas proposed for impact, transmission infrastructure would be micrositied with input from an ecologist to ensure a significant impact is avoided. If unavoidable, all areas of suitable habitat within the easement would be included as additional permanent impact areas and would be added to the total area required to be offset.</p>	<p>Pre-Construction Compliance Report</p>	<p>The Pre-Construction Compliance Report indicated that an nghenvironmental report submitted to AGL on 18 October 2013 to address this REMM. The transmission line design has been approved by Essential Energy.</p>	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
2	Grey Crowned Babbler nest sites identified in Figure 4.7 of the Biodiversity Assessment would be protected from impact during infrastructure siting and design process.	CEMP-F  Post Clearance Fauna Management Report June 2014	CEMP-F identifies that the intent of this condition is not to preserve babbler nest sites identified but to protect during infrastructure and design process. The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall identified that various babbler nests were confirmed to be abandoned prior to clearing.	C	
3	Pre clearance surveys would be conducted prior to felling hollow bearing trees.	Post Clearance Fauna Management Report June 2014	The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall describes the pre-clearance survey activities undertaken prior to clearing commencing and fauna interactions during clearing.	C	
4	Works would avoid impacts to mature trees that are to be retained. Tree protection standards would comply with Australian standard AS 4970-2009 Protection of trees on development sites (Standards Australia, 2009). Wherever practicable, excavations and vehicle/machinery movements would occur outside the canopy dripline of large eucalypts.	CEMP-F  Visual observations  First Solar Stakeholder Engagement Note dated 29 May 2014	CEMP-F outlines tree protection measures. All trees to be retained are within Area 2 which has been fenced with no-go signs erected and visually observed.  A First Solar Stakeholder Engagement Note includes discussion of actions undertaken to protect mature trees including use of minimum tree protection zones and demarcation of trees to be retained.	C	
5	Removal of the east west strip of vegetation must be conducted outside of the breeding season of the Grey Crowned Babbler (June to February) unless the nests have been confirmed to be inactive.	Post Clearance Fauna Management Report June 2014	The "Post Clearance Fauna Management Report" (June 2014) prepared by NatureCall identifies that three babbler nests were present within the east west strip of vegetation but that they were confirmed as no longer active prior to clearing.	C	
6	Restoration of habitat: Hollows from felled hollow bearing trees would be salvaged and placed in retained trees or on poles in adjacent habitat. For each hollow salvaged, a nest box would also be installed to offset the loss of habitat. Where it is not deemed to be a fire hazard, timber from cleared trees	OEI (Dubbo) correspondence.	As at the time of the audit 12 nest boxes are installed in trees in Area 2, 60 hollows have been salvaged and established in trees in Area 2 and 94 hollows are associated with trunks of felled trees which were observed to be strategically arranged in piles so as to maximise habitat value. A technical reading of the condition would indicate that the 53 hollows identified should have been salvaged and suspended in Area 2 plus an additional 53 nest boxes. On this reading 106 habitat features are required.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	(coarse woody debris (CWD) including logs) is to be relocated into areas of adjacent woodland to provide foraging habitat for species such as Grey crowned Babblers and other ground dwelling fauna. CWD would be scattered evenly across the relocation areas, not piled or windrowed.		Nevertheless First Solar has received correspondence from the Office of Environment and Heritage that the intent of the measure has been satisfied.  No burning of native vegetation was reported to have occurred and no evidence to suggest burning was noted during the site visit.		
7	Within areas of native vegetation, existing tracks would be used wherever possible to avoid compaction and/or disturbance.	Visual observations	Area 2 is fenced off and marked as a no-go zone. Traffic entering the site is limited to habitat inspections and the placement of habitat features. Existing tracks are used where possible.	C	
8	Traffic management measures would be incorporated into the construction and operation phase and would address traffic flow, vehicle speed and vehicle numbers entering and leaving the site. This would aim to prevent collisions with fauna utilising the site, particularly Grey crowned Babblers.	CEMP-E CEMP-F	Traffic management is in accordance with the DPE approved traffic management plan. Vehicle speed is set at 40 km/hr on main access road and 30 km/hr on all other roads. Speed limits around the offices and in alleys are 15 km/hr.	C	
9	Excavated topsoil would be stored separately from subsoil and replaced in a manner that replicates the original profile as closely as possible to assist rapid revegetation.	Monthly ER inspection records	Segregation of topsoil and subsoil during trenching was inspected as part of the Monthly ER inspection (29 July 2104) and was closed as compliant during following inspection (19 August 2014) and reported as compliant in ER Monthly Inspection No. 8 (19 August 2014). No topsoil stockpiling or excavations remain to be undertaken.	C	
10	Site stabilisation, rehabilitation and revegetation would be undertaken progressively during works, to ensure that soils are stabilised as soon as practical. This would minimise weed infestation, sedimentation and erosion, which degrade habitat.	Visual observations	Evidence of rehabilitation in the form of ripping of compacted areas and natural seed strike were observed to have occurred and is recorded on weekly inspection reports. Some disused areas remain to be ripped and left to seed. Revegetation works associated with visual screening are proposed to occur following practical completion of construction.	C	Complete revegetation activities as soon as practicable and in keeping with CEMP requirements.

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
11	Disturbed areas would be identified and used preferentially for vehicle and machinery access, materials laydown, stockpiling of cleared vegetation and the deposition and retrieval of spoil whenever practicable, to minimise the footprint of the development on intact native-dominated areas.	Form D01 Weekly Inspections  Ground Disturbance Checklist	Compliance is monitored during weekly and monthly environmental inspections.  To monitor and manage these risks, an Excavation Permit and accompanying Ground Disturbance Checklist must be completed and signed off by the Site Environmental Lead before any disturbance can occur on site with copies of completed forms sighted.	C	Maintain vigilance on driving off formed access roads and communicate need to facilitate rehabilitation to commissioning and operations staff.
12	A weed management plan would be developed for the site, guided by the measures set out in the Biodiversity Assessment.	Form H01 Ground Cover Monitoring Record  Form H02 Rehabilitation and Revegetation Photo Monitoring Record  Form I01 Weed Management Activities and Control	A Groundcover Management Plan has been developed as part of the CEMP and approved by DPE. Weed surveys have been conducted on the site by the Site Environmental Lead. Weed control activities have been conducted under a JHA ('Slash and Spray Weeds' No. 50 25/4/14) and individual events recorded in the register Form I01.	C	
13	Perimeter security fencing will feature heavy duty fabric to increase visibility to fast flying parrots.	Monthly ER inspection No. 9.  Visual observations.  Form F01 Perimeter Fence and Nest Box Monitoring Record  Form F02 Fauna Handling Record.	Bird strike deterrents have been installed along the security fenceline. This has been documented as complied with in the Monthly ER Inspection No. 9 (Closed 15/9/14).  No parrot deaths are recorded in the fauna handling record or in perimeter fence record.	C	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
14	Where trenches are to be excavated and backfilled in well vegetated native areas, whole sods would be removed, stored in moist, shaded conditions and replaced following the works. Sod storage time would be minimised and sods would be replaced in a manner that maximises the chances of re-establishment and soil stabilisation.	Monthly ER inspection reports.	Segregation of topsoil (including sods) and subsoil during trenching was inspected as part of the Monthly ER inspection (29 July 2014) and was considered compliant during following inspection (19 August 2014) and reported as compliant in ER Monthly Inspection No. 8 (19 August 2014).	C	
15	If the dam in the south of the solar plant site is removed during the works, an alternative watering point would not be established on the proposal site.	Visual observations	Dam noted to be retained during visual inspection.	C	
16	Trenches would be left open for the least time practical and would be inspected for trapped fauna prior to back filling. Any trench sections left open overnight would be inspected early in the morning and any trapped fauna removed.	Form F01 Perimeter Fence and Nest Box Monitoring Record.	Trench inspection forms (Form F01) have been completed for trenching across the site.	C	
17	A groundcover management plan would be developed, as outlined in the Biodiversity Assessment.	CEMP-I	The First Solar CEMP, which includes the Ground Cover Management Plan, was approved by DPE in a letter dated 24/3/14.	C	
18	The space between the PV array rows would be kept clear to enable access by vehicles for ongoing weed control, and pasture renovation, if required.	Visual observations	Space between arrays visually observed to allow quad bike access for weed management works.	C	
19	Nest boxes and salvaged hollows remounted during the construction phase would be routinely inspected to check the integrity of the structures and remedy them if required.	Form F01 Perimeter Fence and Nest Box Monitoring Record.	Examples of Form F01 observed indicate nest box and salvaged hollows inspections are occurring.	C	
20	Areas of native vegetation that were impacted by the proposal would be rehabilitated to a level that	CEMP-H	CEMP-H has been submitted and approved by the Director General. The rehabilitation measures specified in	NT	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
	demonstrates an increase in the environmental values of the site compared to its preoperational state. A rehabilitation plan would be prepared that includes ongoing monitoring to ensure native vegetation rehabilitation is successful for the long term. The plan would be developed prior to decommissioning and would be developed in partnership with relevant government agencies.		this mitigation measures are yet to be triggered.		
21	An Offset Plan would be developed with input from OEH and the CMA and according to the strategy provided in Appendix G of the Biodiversity Assessment. It would be finalized prior to any construction impacts, as outlined in the Biodiversity Assessment. The objective of offsetting is to ensure that an overall 'maintain or improve' outcome is met for the project; where impacts cannot be avoided, or sufficiently minimised, the residual impact would be offset in perpetuity.	Pre-Construction Compliance Report	The Pre-Construction Compliance Report contains written approval from DPE which includes a note that consultation with OEH was undertaken.	C	
22	Prior to finalising the Offset Site boundaries, the proponent would validate the area impacted by construction to ensure that the actual, not estimated, impacted area is offset.	Interview with AGL Project Manager	AGL Project Manager confirmed that a process to validate impacted area would be undertaken post completion of construction.	NT	
23	The offset site management actions and their outcomes would be reported every two years to the Department of Planning and Infrastructure for the duration of the project (up to 30 years) to demonstrate that a 'maintain or improve' outcome has been met.	Not applicable	Noted. Offset site management actions are yet to formally commence.	NT	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
24	If human skeletal remains are found during the activity, work in the area of the remains would stop immediately, the area would be secured to prevent unauthorised access and the NSW Police and OEH would be contacted.	Interviews	No human skeletal remains have been encountered.	NT	
25	The substation and office building would be designed to accommodate a 1:100 year flood and be located in the south-west of the site, outside the inundation zone (Figure 6-1 of the EIS).	Visual observations	Site inspection confirms substation and office building are constructed in the south west portion of the site in accordance with the plans. Accumulators are built on elevated platforms well above the estimated 300mm 1:100 year flood level.	C	
26	The employee and contractor induction would inform all site personnel about noise management measures, construction hours and nearest sensitive receivers.	WEAC training induction (Version 3) and information management system records.	The WEAC training provides specific training to all site personnel on the likely sources of noise eg post pounding, the work hours, and the nearest sensitive receptors "Redlands", "Tikkara" and "Rutherglen".	C	
27	All employees are responsible for managing noise from their work activities and working in a manner to reduce noise.	Not applicable	Noted.	C	
28	Works are to be carried out during standard work hours (i.e., 7am to 6pm Monday to Friday; 8am to 1pm Saturdays). Any construction outside of these normal working hours would only be undertaken with prior approval from relevant authorities. For works outside standard hours, inform affected residents and other sensitive land use occupants between 5 and 14 days before commencement.	Not applicable	Superseded by CoC B22 and 23 - Refer above.		
29	Where reasonable and feasible, noisy activity would be carried out in the least sensitive time periods (to be determined through community consultation).	Not applicable	Superseded by CoC B22 and 23 - Refer above.		

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
30	A Construction Noise Management Plan would be prepared as part of the Construction Environmental Management Plan. It would include provision for noise monitoring to be undertaken in the event a noise complaint is received to verify if target noise levels are exceeded at that receiver. If so, additional measures would be developed in consultation with the complainant.	CEMP-L	CEMP-L has been developed and approved by the Director General.	C	
31	Community consultation would be ongoing for residences within close proximity to the works. The information would include details of: The proposed works. The duration and nature of the works during construction. What works are expected to be noisy. What is being done to minimise noise. When respite periods would occur. Regular updates on progress of works.	CEMP-R	Noise generating activities had ceased on site at the time of the audit. Refer to CoC B22 and B23 in regards to noise management which indicates limited potential for noise impact to occur has resulted from the project.  Community Consultation has been ongoing in accordance with the Community Consultation Plan approved by the Director General in association with the First Solar CEMP. This has included a bi-monthly community consultation committee meeting minutes of which are available on the AGL website and to which residence close to the site are invited.	C	
32	Ensure equipment is operated and maintained in accordance with the manufacturer's instructions including replacement of engine covers, repair of defective silencing equipment, tightening of rattling components, repair of leakages in compressed air lines and shutting down equipment not in use.	Interview with First Solar Environmental Lead.  Information management system records.	Plant and equipment pre-start checklists are kept for all items of plant and machinery and are available within the Information Management System.	C	
33	Avoid the operation of noisy equipment near noise sensitive areas and where possible, loading and unloading would be conducted away from sensitive areas.	Not applicable	First Solar works are noted as occurring over 2 km from nearest residential receptor. No other indication of noise sensitive areas is provided against which to audit this requirement.	C	



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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
34	Position plant and equipment on site in a position that provides the most acoustic shielding from buildings and topography. Plant known to emit noise in one direction would be orientated where practicable to screen the emissions.	Not applicable	Noise management governed by approved CEMP with compliance assessed above.	C	
35	Where feasible and reasonable install multi frequency alarms and smart alarms on vehicles, taking into account the requirements of the Work Health and Safety legislation.	Not applicable	Noted. Multi-frequency alarms reported not to have been installed on plant.	C	
36	Keep truck drivers informed of designated vehicle routes, parking locations, acceptable delivery hours or other relevant practices (for example, minimising the use of engine brakes, and no extended periods of engine idling).	Information Management System records.	All Heavy Vehicle drivers coming onto site are given a Driver Induction which describes designated vehicle routes, parking locations, acceptable delivery hours. Completed driver inductions are kept at: "Inductions and Orientations" in the Information Management System.	C	
37	To break up views of infrastructure, screening vegetation would be planted or allowed to regenerate in areas identified in Figure 6.1 of the Visual Impact Assessment. Maintenance requirements of the planting would be considered within the operational management plan to ensure that plants are watered as required and that dead plants are replaced.	CEMP-H	Planting of screening vegetation is scheduled to occur post construction.	NT	
38	Clearing of vegetation minimised. In particular, the tree lines on the western, northern and eastern boundaries of the site retained intact and the transmission line route placed to allow this to occur.	Visual observations	Visual inspection confirms that the tree lines on the western, northern and eastern boundaries of the site have been retained.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
39	All areas disturbed by the construction of the proposed transmission line and solar plant would be allowed to naturally regenerate and be monitored to ensure that regeneration has occurred. Where natural regeneration is unsuccessful, revegetation would be undertaken.	CEMP-H  Interview with AGL Project Manager.  Interview with First Solar Environmental Lead.  Visual observations.  Forms G01 and G02.	Rehabilitation and Revegetation plan has been developed (CEMP-H). Rehabilitation plantings are reported to be scheduled for post construction.  Rehabilitation records indicate some revegetation success through natural seed strike following scarification of compacted surfaces. Results of monitoring are to dictate need for additional revegetation efforts.	C	
40	The colour of above ground structures, including the construction site offices, would be sympathetic to the landscape character of the site to minimise visual contrast.	NA	Assessed in accordance with CoC B20 – Refer above.	C	
41	The following principles would be considered regarding placement of poles near the Barrier Highway crossing to reduce their visual impact.	Not applicable	Outside scope of audit. Pre-Construction Compliance Report indicates this has been addressed by Third Party CEMP.	C	
42	Air quality impacts would be addressed via the development of: Protocols to guide vehicle and construction equipment use, to minimise emissions. Protocols to minimise and treat dust (water carts or similar).	Not applicable	Assessed in accordance with CoC B6	C	
43	The substation and transmission lines would be located as far as practical from residences, farm sheds, and yards in order to reduce the potential for both chronic and acute exposure to EMFs.	Pre-Construction Compliance Report	Outside scope of audit. Pre-Construction Compliance Report indicates this has been addressed by Third Party CEMP.	C	
44	Design of electrical infrastructure would minimise EMFs.	Pre-Construction Compliance Report	Outside scope of audit. Pre-Construction Compliance Report indicates this has been addressed by Third Party CEMP.	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
45	Fencing around the substation would be maintained to limit public access.	Visual observation	Outside scope of audit. Visual observation indicates security fencing has been established.	C	
46	Consultation with neighbouring landholders regarding any temporary impacts to access or risks to livestock. Additional specific mitigation may be required such as:  Additional fencing to protect livestock from collision risks  Vehicle speed restrictions on access roads.	Not applicable	Assessed in accordance with CoC B33 and CoC C12.	C	
47	Consultation with mineral stakeholders would be undertaken to inform them of the timing of works and final infrastructure layout.	Pre-Construction Compliance Report	The pre-construction compliance report notes that mineral stakeholders are able to attend CCC meetings. Project status and timing of works is provided via AGL website.	C	AGL to consider formal provision of final infrastructure layout.
48	An easement over the affected part of Lot 7300 DP1156652, with compensation payable to the Crown under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, would be created prior to commencement of energy generation at the site.	Not applicable	Assessed in accordance with CoC B32.	C	
49	A Community Consultation Plan would be developed to manage impacts to community stakeholders, including but not limited to: Protocols to keep the community updated about the progress of the project and project benefits. Protocols to inform relevant stakeholders of potential impacts (haulage, noise etc). Protocols to respond to any complaints received.	NA	Assessed in accordance with CoC C12,13,14 and 15	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
50	Liase with local industry representatives to maximise the use of local contractors, manufacturing facilities, materials.	Pre-Construction Compliance Report.	The Pre-construction compliance report notes that "Liaison with local businesses representatives is through the CCC. Minutes from November 2013 outlined use of local companies and workers for construction work. Minutes of February meeting give details of how local workers are being recruited".	C	
51	Liase with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services.	Camp Development Approval DA 2013/019) 5/12/2013	Camp accommodation established in disused Nyngan Hospital and subject to a separate approval by Local Council.	C	
52	A Traffic Management Plan and Haulage Plan would be developed for construction traffic prior to commencing construction activities and would be approved by RMS and the DP&I in consultation with Council.	NA	Assessed in accordance with CoC C2(e).	C	
53	AGL would obtain all required permits and licences from RMS prior to conducting any work in the Barrier Highway road corridor.	RMS Detailed Design Approval dated 19 March 2014.  RMS Approval to Commence Construction dated 4 July 2014.	AGL received RMS detail design approval and approval to commence construction from the Roads & Maritime Services (RMS) dated 19 March 2014 and 4 July 2014, respectively. AGL is currently applying for practical completion of these works.	C	
54	AGL would install gates, grids or similar structures at least 20 metres from the edge of the road on the Barrier Highway to provide for suitable storage capacity for the largest class of vehicle accessing the site.	Visual observations	Visual observations confirm that gates have been installed at a distance greater than 20 metres from the edge of the barrier highway with RMS approval of detailed design provided.	C	
55	A Waste Management Plan (WMP) would be developed to minimise wastes.	Department of Planning and Infrastructure Letter dated 24 March 2014 Title Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan	CEMP-U approved by Director General in association with CEMP.  First Solar are currently pursuing a waste exemption to beneficially use wooden pallets and cardboard as a mulch material in rehabilitation and dust management initiatives. First Solar Environmental Lead reported that all efforts	C	

Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
		(Condition G2) and Staging Report (Condition A5).  CEMP-U	had been made to find an alternative from a higher level of the waste management hierarchy to no avail.  Waste plastic wrapping is to be baled for off-site transport and recycling subject to agreement with recycling facility.		
56	Excess subsoil would be removed from the site and disposed of at an appropriate fill storage site.	Form U01 Non-Regulated / Regulated Waste Register	No records to indicate an excess subsoil requiring disposal has eventuated.	NT	
57	Excess topsoil would be retained and used in site rehabilitation.	Monthly ER inspection records	As per REMM9 - Segregation of topsoil and subsoil during trenching was inspected as part of the Monthly ER inspection (29 July 2104) and was closed as compliant during following inspection (19 August 2014) and reported as compliant in ER Monthly Inspection No. 8 (19 August 2014). No topsoil stockpiling or excavations remain to be undertaken.	C	
58	Develop a Bush Fire Management Plan with input from the RFS	Department of Planning and Infrastructure Letter dated 24 March 2014 Title Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).  CEMP-M	CEMP-M approved by the Director General in association with the CEMP contains evidence of consultation with RFS.	C	
59	Should an item of historic heritage be identified, the Heritage Branch (Office of Environment and Heritage) would be contacted prior to further works being carried out in the vicinity.	Interview with First Solar Environmental Lead.	No items of historic heritage be identified to date.	NT	

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Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
60	Site specific Erosion and Sediment Control Plans would be prepared, implemented and monitored during the project, in accordance with Landcom (2004), to minimise soil and water impacts. These plans would include provisions to ensure any discharge of water from the site is managed to ensure ANZECC (2000) water quality criteria are met and traffic generated soil erosion is minimised.	Refer to CoC B9.	Assessed in association with CoC B9	C	
61	A Spill Response Plan would be developed.	Department of Planning and Infrastructure Letter dated 24 March 2014 Title Nyngan Solar Plant SSD_5355 - Construction Environmental Management Plan (Condition G2) and Staging Report (Condition A5).  CEMP-V	CEMP-V approved by the Director General in association with the CEMP.	C	
62	If water is required from the local water supply authorities, access would be obtained prior to commencement of activities in consultation.	Pre-Construction Compliance Report	Pre-construction compliance report states "First Solar CEMP section 8.3. Water will be available from Bogan Shire Council depot prior to the start of construction works".  The site maintains detailed records of water used on site.	C	
63	Dust suppression activities would be undertaken.	Refer to CoC B6.	Assessed in association with CoC B6.	C	



Reference	Requirement	Reference/ Evidence Sighted	Comments	Finding	Recommendations & Findings
64	Should the Nyngan Scandium Project receive development approval, EMC Metals Corp would be consulted by the Nyngan Solar Plant proponent to determine if construction traffic for the respective proposals could be scheduled to minimise cumulative impacts to third parties.	DPE Major Project Register	The Nyngan Scandium Project has not received development approval as at the time of the audit.	NT	

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