

## INDEPENDENT ENVIRONMENTAL AUDIT JEMALONG SOLAR PROJECT (SSD 8803)

November 2020

**Auditee:** Genex Power Limited

**Auditor:** Vantage Environmental Management Pty Ltd

**Vantage Environmental Management Pty Ltd**

**Address** PO Box 378 Albury NSW 2640

**Website** [www.venv.com.au](http://www.venv.com.au) **Telephone** (02) 6021 8655



This Independent Environmental Audit report has been certified by Toby Hobbs, Principal Auditor (Exemplar Global) and Director of Vantage Environmental Management Pty Ltd.

Report Version	Date	Comments	Prepared by	Approved for issue by
Draft	04 Nov 2020	Draft for proponent review	S. Price T. Hobbs	T. Hobbs
Rev 1	05 Nov 2020	Incorporation of additional compliance information from proponent	S. Price	T. Hobbs

## LIMITATIONS

This report has been prepared in accordance with NSW Department of Planning, Industry and Environment requirements and guidelines. While all reasonable attempts have been made to ensure the accuracy of the content of this report, Vantage Environmental Management Pty Ltd excludes implied warranties and conditions to the extent legally permissible. The information and assumptions presented within this report, inclusive of evaluation of construction activities and compliance, are based on viewed site conditions and information provided by Genex Power Limited, their contractors and consultants as well as other stakeholders. Liability arising from any of the assumptions being incorrect is disclaimed and no responsibility will be taken for any damage or loss that may occur through either the use or reliance of the content of this document for purposes other than for which it was prepared. This report should be considered in its entirety and not relied on, released to, or duplicated by third parties in whole or in part without the permission of Genex Power Limited and Vantage Environmental Management Pty Ltd.

## TABLE OF CONTENTS

1	EXECUTIVE SUMMARY	1
2	INTRODUCTION	2
	2.1 Background	2
	2.2 Audit Team	2
	2.3 Audit Objectives	2
	2.4 Audit Scope	2
	2.5 Audit Period	3
	2.6 Audit Opening and Closing Meetings	3
3	AUDIT METHODOLOGY	3
	3.1 Selection and Endorsement of Audit Team	3
	3.2 Independent Audit scope development	3
	3.3 Compliance Evaluation	4
	3.4 Site Personnel Interviews	4
	3.5 Site Inspections	4
	3.6 Consultation	4
	3.7 Compliance Status Descriptors	6
4	AUDIT FINDINGS	6
	4.1 Approvals and Documents Audited	6
	4.2 Compliance Performance	6
	4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions	7
	4.4 Non-compliances	7
	4.5 Previous Audit Recommendations	7
	4.6 Environmental Performance	7
	4.7 Complaints	7
	4.8 Incidents	8
	4.9 Actual verses Predicted Environmental Impacts	8
	4.10 Site Inspections	9
	4.11 Site Interviews	9
	4.12 Previous Annual Review or Compliance Report Recommendations	9
	4.13 Improvement Opportunities	10
	4.14 Key Strengths	10
5	RECOMMENDATIONS	11
	5.1 Non-compliances	11
	5.2 Opportunities for Improvement	11
6	CONCLUSION	12

## APPENDICES

- Appendix A** Planning Secretary Audit Team Agreement
- Appendix B** Consultation
- Appendix C** Independent Audit Table
- Appendix D** Site Inspection Photographs (26-27 October 2020)
- Appendix E** Independent Audit Declaration Form

## 1 EXECUTIVE SUMMARY

This report presents the findings of an Independent Environmental Audit (IEA) that was undertaken to assess the environmental performance and compliance status of the Jemalong Solar Project (NSW Department of Planning, Industry and Environment [DPIE]: Application Number SSD 8803), herein referred to as the “Project”.

The Audit was undertaken by Vantage Environmental Management Pty Ltd in accordance with the requirements of Schedule 4, Condition 7 of the Project’s Development Consent (as modified) and conducted in accordance with the Department’s *Independent Audit – Post Approval Requirements* (May 2020). The scope of the audit was developed in consultation with DPIE and approved via their correspondence of 06 October 2020.

There were zero (0) non-compliances identified with Development Consent conditions and the associated management plans and strategies reviewed during the audit program.

Three (3) opportunities for improvement were identified during completion of the IEA as noted below:

- **Opportunity for Improvement No. 1:** In accordance with the Development Consent (Schedule 2, Condition 8), DPIE was initially notified that the date of commencement of construction would be 25 April 2020. During completion of this Audit, the proponent confirmed that the actual date of the commencement of construction was 22 May 2020, which is approximately one (1) month later than initially advised to the Department. As such, it is suggested that the proponent contacts DPIE to provide an updated notification regarding the date of commencement of construction;
- **Opportunity for Improvement No. 2:** It is noted that a rural airfield, which is reportedly used on a seasonal basis by crop-dusting aircraft, is located adjacent to the eastern boundary of the Project site. As such, it is suggested that the proponent consult with the relevant authority, if they have not already done so, to determine if any aviation notifications and/or warning devices, etc., are required to be in place to ensure management of potential impacts on the airspace in the vicinity of the Project during construction, operation, decommissioning and rehabilitation; and
- **Opportunity for Improvement No. 3:** Additional temporary soil stabilisation measures, such as the application of soil binder at key locations, could be implemented prior to the establishment of final landscaping/vegetative cover to further reduce the potential for erosion/sedimentation and/or dust generation during construction of the Project.

Following issue of the draft report associated with the IEA, information was provided by the Project proponent, Genex Power Limited, to address Opportunity for Improvement No. 1 and No. 2. Based on review of this information, the Auditor considers these Opportunities for Improvement were adequately addressed and no further action is recommended.

Overall, a high standard of compliance was evident during the completion of the Audit and environmental management, inclusive of documentation, record keeping and on-site practices, was deemed to be generally consistent with Development Consent Conditions and associated strategies, plans and programs.

It is considered that the management strategies in place to mitigate potential construction impacts were appropriate and the impacts observed on site were consistent with those identified in the EIS.

There were no complaints or environmental incidents reported within the Audit period which is commendable.

## 2 INTRODUCTION

### 2.1 Background

This report presents the findings of an Independent Environmental Audit (IEA) that was undertaken by Vantage Environmental Management Pty Ltd (Vantage) to assess the environmental performance and compliance status of the Jemalong Solar Project (NSW Department of Planning, Industry and Environment [DPIE] Application Number: SSD 8803), herein referred to as the “Project”. The IEA is a requirement of Schedule 4, Condition 7 of the Project’s Development Consent (Modification 3, 13 November 2019).

The Project is located at Jemalong, near Forbes, in central west New South Wales and includes the installation of an array of photovoltaic (solar) panels and associated infrastructure including a transmission line to West Jemalong Substation. Construction commenced with the clearing of limited vegetation on 22 May 2020. The Project proponent is Genex Power Limited (Genex) and the contractor responsible for construction of the Project is beon Energy Solutions (Beon).

### 2.2 Audit Team

The Vantage audit team consisted of Toby Hobbs as the Principal Auditor and Susannah Price as an assistant Auditor. Endorsement of the audit team was provided by DPIE via the correspondence of 25 September 2020, a copy which is included within Appendix A of this report.

Toby Hobbs, MEnvMgmt, is an Exemplar Global-certified Principal Environmental Auditor and has undertaken significant auditor roles in the capacity of the independent Environmental Representative role on many major (\$500M+) infrastructure projects in southern Australia since 2005.

Susannah Price, MSc, is an Exemplar Global-certified Environmental Auditor and has worked in an auditor support role on many major (\$500M+) infrastructure projects in southern Australia since 2007.

### 2.3 Audit Objectives

The objective of the IEA was to obtain an independent and objective assessment of the environmental performance and compliance status of the Project in accordance with Schedule 4, Condition 7 of the Project’s Development Consent and the Department of Planning, Industry & Environment’s (DPIE) *Independent Audit Post Approval Requirements* (May 2020). The audit scope, discussed below in section 2.4, provides further detail of the audit objectives.

### 2.4 Audit Scope

The audit scope consisted of:

1. An assessment of compliance with:
  - a. Development Consent for SSD 8803 as modified (Modification 3, 13 November 2019);
  - b. Post-approval documents prepared to satisfy the conditions of consent, including an assessment of the implementation of Environmental Management Plans and Sub-plans during the construction phase;
2. An assessment of the environmental performance of the development, including an assessment of:
  - a. Actual impacts compared to predicted impacts documented in the Environmental Impact Statement and associated amendments;
  - b. The physical extent of the development in comparison with the approved boundary, and any potential off-site impacts;
  - c. Incidents, non-compliances and complaints that occurred or were made during the audit period;

- d. The performance of the development having regard to agency policy and any particular environmental issues identified through consultation carried out when developing the scope of the audit; and
  - e. Any feedback received from the Department, and other agencies and stakeholders, including the community, on the environmental performance of the Project during the audit period.
3. The status of implementation of previous Independent Audit findings, recommendations and actions (if any);
  4. A high-level assessment of whether Environmental Management Plans and Sub-plans are adequate; and
  5. Any other matters considered relevant by the auditor or the Department taking into account relevant regulatory requirements and legislation and knowledge of the development's past performance. Further information regarding relevant matters raised by the Department are discussed within Section 3.6 of this report and have been addressed during completion of the IEA.

## 2.5 Audit Period

This IEA has been completed within the period of six (6) months from the commencement of construction, reported as 22 May 2020, which is consistent with requirements of Development Consent SSD 8803 Schedule 4, Condition 7.

## 2.6 Audit Opening and Closing Meetings

As part of the IEA program, Audit Opening and Audit Closing meetings were held as noted in Table 1, below.

**TABLE 1: Audit Meeting Attendance Register**

Meeting Type	Date of Site Visit	Personnel Present
Audit Opening	09 October 2020	Harrison Holihan (Genex), Justin Coburn (Beon), Toby Hobbs (Vantage) and Susannah Price (Vantage)
Audit Closing	04 November 2020	Harrison Holihan (Genex), Justin Coburn (Beon), Shaun Griggs (Beon), Cath Nolan (Beon), Lauren Serjeantson (Flow Power), Toby Hobbs (Vantage) and Susannah Price (Vantage)

## 3 AUDIT METHODOLOGY

### 3.1 Selection and Endorsement of Audit Team

The Audit team was selected by the proponent (Genex Power Limited) on 09 September 2020 following a Request for Proposal dated 18 August 2020. The audit team was endorsed by DPIE via their correspondence of 25 September 2020, a copy of which is included within Appendix A of this report.

### 3.2 Independent Audit scope development

Prior to the commencement of the audit the proposed scope was developed in accordance with Schedule 4, Condition 7 of the Project's Development Consent and the Department of Planning, Industry & Environment's (DPIE) *Independent Audit Post Approval Requirements* (June 2018). On 01 October 2020, Vantage issued the audit scope to DPIE, Forbes City Council (Council) and NSW Environment Protection Authority (EPA) for comment. Correspondence from DPIE of 06 October 2020 confirmed that the Department were generally satisfied with the audit scope/schedule. Additional feedback on the proposed audit scope was provided by DPIE's Team Leader of Compliance, Katrina O'Reilly, on 06 October 2020 and included in the finalised audit

scope, as presented in Section 2.4 of this report. The comments received from DPIE regarding the audit scope are discussed below, within Section 3.6 of this report, and presented within Appendix B.

No feedback regarding the scope of the audit was received from Council or the EPA.

### 3.3 Compliance Evaluation

In order to evaluate Project compliance, the following process was followed:

- Desktop audit of the documents provided by the proponent;
- Collection of further information from the proponent as required; and
- Assessment of documents for compliance and reporting in this audit report.

### 3.4 Site Personnel Interviews

Interviews were held with the following site personnel on 26 and 27 October 2020 as part of the Project site visit for the audit:

- Shaun Griggs – Beon Construction Manager; and
- Cath Nolan – Beon Health, Safety and Environmental Advisor

### 3.5 Site Inspections

Site inspections were undertaken by Toby Hobbs on 26 and 27 October 2020. The purpose of the site visits was to discuss the compliance status of the Project with relevant site personnel, view environmental management records, view the status of on-site environmental controls and observe general environmental performance and Development Consent compliance for the Project.

### 3.6 Consultation

Consultation associated with completion of this Audit involved issue of the proposed audit scope to DPIE, Forbes City Council (Council) and NSW Environment Protection Authority (EPA) for comment on 01 October 2020. A request for feedback on the environmental performance of the project was also issued to Council and EPA by Vantage on 19 October 2020. In addition, interviews, an audit opening meeting (09 October 2020) and an audit closing meeting (04 November 2020) were held with Project personnel including:

- Harrison Holihan: Genex Commercial Manager;
- Justin Coburn: Beon Community and Stakeholder Engagement Manger;
- Shaun Griggs – Beon Construction Manager; and
- Cath Nolan – Beon Health, Safety and Environmental Advisor.

Feedback on the proposed audit scope was provided by DPIE’s Team Leader of Compliance, Katrina O’Reilly, on 06 October 2020 and are included within Appendix C of this report. The comments received from DPIE regarding the audit scope are discussed in Table 2, below.

An EPA representative (Dr Sandie Jones, Manager Regional Operations South) responded to Vantage’s request for feedback on 21 October 2020 stating that, as the Project did not constitute a “Scheduled” activity under the Protection of the Environment Operations Act 1997 and was not being conducted by a public authority, the EPA was not the Appropriate Regulatory Authority (ARA). She stated that Forbes City Council was the Project ARA and would be best placed to provide advice regarding the Project.

Comment was received from Mr Rory Duggan, Development & Planning Engineer at Forbes City Council regarding Vantage’s request for feedback on 30 October 2020. The correspondence confirmed:

- At the time of issue of their correspondence, Council had no issues or points of concern to raise regarding the Project;

- That the upgrade works to the intersection of Lachlan Valley Way and Wilbertroy Lane (Development Consent Condition 5(a)) had been completed and finalised to the satisfaction of Council; and
- A final inspection was undertaken of the upgrade works to Wilbertroy and Naroo Lanes (as per Development Consent condition 5(b) and 6) occurred on 23 October 2020 and at that time the works were deemed to have been completed to the satisfaction of Council.

Copies of correspondence related to consultation undertaken as part of the Audit program are presented within Appendix B of this report.

**TABLE 2: Summary of DPIE comments and report reference**

<b>DPIE comment</b>	<b>Section of this report discussing the comment</b>
Confirm that appropriate certificates have been obtained	Section 4.2: Compliance Performance
Confirm that appropriate approvals have been obtained for management plans prior to commencing	Section 4.2: Compliance Performance
Confirm that site layout is in accordance with consent	Section 4.2: Compliance Performance Appendix D: Site Inspection Photographs
Confirm road upgrades have been undertaken to the approval of road authority (Council/TfNSW) and completed prior to commencement of construction	Section 4.2: Compliance Performance
Confirm native vegetation has been retained/fenced/protected/enhanced in accordance with consent and management plans	Section 4.2: Compliance Performance Appendix D: Site Inspection Photographs
Confirm aboriginal sites have been protected/ managed in accordance with consent	Section 4.2: Compliance Performance Appendix D: Site Inspection Photographs
Waste management on site	Section 4.2: Compliance Performance Section 4.6: Environmental Performance Section 4.9: Actual verses Predicted Environmental Impacts
Water management on site	Section 4.2: Compliance Performance Section 4.6: Environmental Performance Section 4.9: Actual verses Predicted Environmental Impacts Appendix D: Site Inspection Photographs
Erosion and sediment controls	Section 4.2: Compliance Performance Section 4.6: Environmental Performance Appendix D: Site Inspection Photographs
Dust management	Section 4.2: Compliance Performance Section 4.6: Environmental Performance
Management/recording of complaints and non-compliances	Section 4.2: Compliance Performance Section 4.7: Complaints Section 4.8: Incidents
Community consultation and engagement	Section 4.2: Compliance Performance Section 4.7: Complaints

### 3.7 Compliance Status Descriptors

The compliance status of each Development Consent condition in the Audit Table in Appendix A has been determined according to the Department's *Independent Audit Post Approval Requirements* (May 2020). The compliance status was recorded as one of the following:

- Compliant – The auditor has collected sufficient verifiable evidence to demonstrate that all elements of the requirement have been complied with within the scope of the audit;
- Non-compliant – The auditor has determined that one or more specific elements of the conditions or requirements have not been complied with within the scope of the audit; or
- Not triggered – A requirement has an activation or timing trigger that has not been met at the time when the audit is undertaken, therefore an assessment of compliance is not relevant.

## 4 AUDIT FINDINGS

### 4.1 Approvals and Documents Audited

The following approvals and documents were considered as part of this IEA:

- Development Consent for SSD 8803 as modified (Mod 3, 13 November 2019);
- Environmental Management Strategy (ver. 2, 14 January 2020);
- Soil and Water Management Plan (Rev. D, 11 June 2020);
- Traffic Management Plan (Rev 3, 14 January 20);
- Landscaping Plan (Final ver. 1.0, 10 February 2020);
- Biodiversity Management Plan (ver. 3, 21 April 2020);
- Chance Finds Protocol (part of the Cultural Heritage Management Plan, Final v.1.0, 22 February 2020);
- Final Layout Plans (Rev. 2, 30 April 2020);
- Fire Management & Emergency Response Plan for Construction (Rev. 0.8, 12 March 2020);
- Stakeholder and Community Engagement Management Plan (Rev. 0.6, 20 March 2020);
- Housing and Accommodation Action Plan (2020);
- Work Health Safety and Environmental Management Plan for Construction (Rev 0.9, 02 March 2020).

It is noted that the Project construction contractor (Beon) has commenced preparation of the Operational Environmental Management Plan and Fire Management and Emergency Response Plan (for operation) and intend to issue draft versions for stakeholder review during November 2020.

### 4.2 Compliance Performance

There are a total of 50 conditions within the Development Consent of the Project as modified (Mod 3, 13 November 2019) and all 50 conditions were assessed for environmental compliance as part of this IEA. 33 conditions were determined to be compliant, none (0) were determined to be non-compliant and 17 were not triggered as part of this IEA. Detailed audit outcomes are presented within Appendix C: Audit Table of Development Consent Conditions. In accordance with relevant DPIE's *Independent Audit Post Approval Requirements* (June 2018) the audit table presents the following information:

- Development Consent condition (Approval ID);
- Development Consent requirements;

- Audit evidence collected;
- Audit findings and recommendations; and
- Compliance status.

#### **4.3 Summary of Agency Notices, Orders, Penalty Notices or Prosecutions**

As far as the auditors of this report are aware, no agency notices, order, penalty notices or prosecutions have been issued for the Project.

#### **4.4 Non-compliances**

No (0) non-compliances were identified during the course of the IEA.

#### **4.5 Previous Audit Recommendations**

There have not been any previous environmental audits undertaken for the Project.

#### **4.6 Environmental Performance**

Based on the review activities undertaken during the current audit program, it is considered that the mitigation measures detailed in the DPIE-approved Environmental Management Strategy, as well as other strategies, plans and programs required within the Development Consent were generally appropriate and effective in minimising impacts associated with construction of the Project.

Following completion of the Auditor's site visits of 26-27 October 2020, it was deemed that a good range of well implemented environmental controls were in place to assist in minimising the risk of significant environmental incidents such as damage to heritage items, native vegetation and pollution events. Key environmental protection measures observed during the site visits included:

- Provision of well stocked spill kits at key locations across the Project site;
- Use of watercarts and progressive stabilisation to minimise nuisance dust generation;
- Signage and exclusion zone fencing to protect designated heritage items and vegetation zones;
- Implementation of erosion and sedimentation protection infrastructure in accordance with the Soil and Water Management Plan;
- Completion of vehicle movement and maintenance registers;
- Implementation of a weekly environmental monitoring system as documented within Environmental Inspection Checklists;
- Storage of fuels and chemicals with suitably labelled and bunded enclosures;
- Structured management of waste and recyclable materials; and
- Implementation of strict house-keeping policies to ensure waste materials such as light plastics and cardboard with a potential to become airborne would not impact on adjoining agricultural properties.

#### **4.7 Complaints**

No complaints were reported to have been received during construction of the Project. It is noted that the proponent have a "Complaints and Concerns" section on their website with a telephone number and email for local stakeholders to contact if they have concerns regarding construction. The website address is: <https://www.genexpower.com.au/50mw-jemalong-solar-project.html>

#### 4.8 Incidents

No incidents were reported to have occurred during construction of the Project.

#### 4.9 Actual versus Predicted Environmental Impacts

The Project EIS determined the primary potential impacts of the Project would be:

- Minor paddock tree clearing;
- Intermittent noise during the construction phase;
- Increased traffic during the construction phase;
- Potential visual impacts from the power line, but not the PV Plant; and
- The temporary suspension of agricultural cropping during the 30-year operation phase.

Based on the above primary potential impacts associated with the Project, a range of management and mitigation strategies had been developed in accordance with the Development Consent.

Following completion of the audit, it is considered that the management strategies in place to mitigate potential construction impacts were appropriate and the impacts observed on site were consistent with those identified in the EIS. Table 3, below, presents a summary of the strategies that were observed to be in place at the time of the audit to manage the above-noted potential construction-related impacts. Comment is not provided regarding potential operational impacts as the Project was under construction at the time of the audit and, therefore, an assessment of operational phase impact management was beyond the scope of the audit.

**TABLE 3: Actual versus Predicted Environmental Impacts**

Predicted Impacts (as documented in EIS)	Actual Impacts (as observed during audit)	Comments
Minor paddock tree clearing	Only minor clearing was completed in accordance with approved designs and flora/fauna protection measures.	Environmental protection measures in place as per the DPIE-approved Biodiversity Management Plan and preparations for vegetation screen plantings observed at time of Auditor's site visit. Confirmation from NSW Biodiversity Conservation Trust was issued on 27 August 2020 that the Project biodiversity offset credit obligation had been met.
Intermittent noise during the construction phase	No significant high-noise generating activities were evident at the time of the Auditor's site visits of 26-27 October 2020.	Appropriate noise mitigation strategies were deemed to be in place at the time of the Auditor's site visit. No (0) noise complaints have been received by the Project team.
Increased traffic during the construction phase	Additional construction-based traffic movements occurring.	Construction traffic deemed to be managed in accordance with the DPIE-approved Traffic Management Plan. Heavy Vehicle movement registers were reviewed by the Auditor and volumes were confirmed to be compliant with Development Consent. Use of car-pooling, mini-buses and coaches have been instigated to

Predicted Impacts (as documented in EIS)	Actual Impacts (as observed during audit)	Comments
		reduce potential impacts associated with increased traffic during construction phase.
Potential visual impacts from the power line, but not the PV Plant	Designs to minimise potential visual impacts from the power line have been implemented during construction.	Preparation of buffer zone landscape plantings areas noted at time of Auditor’s inspection. Project Construction Manager reported that powerlines have been constructed in accordance with approved designs.
The temporary suspension of agricultural cropping during the 30-year operation phase	The land upon which the solar farm was observed to be unavailable for agricultural cropping at the time of the site visit. Environmental protection measures were noted to be in place to minimise potential impacts on adjoining agricultural land.	Strategies in place to ensure appropriate rehabilitation. Infrastructure is “low impact” and unlikely to result in land degradation once operational phase is complete.

#### 4.10 Site Inspections

Site inspections were undertaken by Toby Hobbs on 26 and 27 October 2020. The purpose of the site visits was to discuss the compliance status of the Project with relevant site personnel, view environmental management records, view the status of on-site environmental controls and observe general environmental performance and Development Consent compliance for the Project.

The site visits also provided the Auditor with an opportunity to obtain appropriate evidence regarding the compliance status and environmental performance of the Project to support the desk-based audit review process. It is noted that all areas of the site were accessible to the Auditor at the time of the site visits.

#### 4.11 Site Interviews

Interviews were held with the following site personnel on 26 and 27 October 2020 as part of the Project site visits for the audit:

- Shaun Griggs – Beon Construction Manager; and
- Cath Nolan – Beon Health, Safety and Environmental Advisor.

The site interviews provided the Auditor with an opportunity to obtain relevant evidence regarding the compliance status and environmental performance of the Project to support the desk-based audit review process. It is noted that site personnel interviewed were most willing to assist the Auditor and provided full and prompt disclosure with respect to the Auditor’s queries.

#### 4.12 Previous Annual Review or Compliance Report Recommendations

One (1) compliance report for the Project, the Pre-Construction Compliance Report, as required under Condition 6 of Schedule 4 of the Development Consent was issued to DPIE on 05 May 2020. There were no (0) recommendations contained within the report and DPIE provided endorsement of the report via their correspondence of 16 June 2020. The Pre-Construction Compliance Report was confirmed to have been published to the Project website as part of the current audit program.

#### 4.13 Improvement Opportunities

Based on the outcomes of the audit program it is considered that suitable and effective environmental management strategies are in place for construction of the Jemalong Solar Farm. Notwithstanding this, three (3) opportunities for improvement have been identified:

- **Opportunity for Improvement No. 1:** In accordance with the Development Consent (Schedule 2, Condition 8), DPIE was initially notified that the date of commencement of construction would be 25 April 2020. During completion of this Audit, the proponent confirmed that the actual date of the commencement of construction was 22 May 2020, which is approximately one (1) month later than initially advised to the Department. As such, it is suggested that the proponent contacts DPIE to provide an updated notification regarding the date of commencement of construction;
- **Opportunity for Improvement No. 2:** It is noted that a rural airfield, which is reportedly used on a seasonal basis by crop-dusting aircraft, is located adjacent to the eastern boundary of the Project site. As such, it is suggested that the proponent consult with the relevant authority, if they have not already done so, to determine if any aviation notifications and/or warning devices, etc., are required to be in place to ensure management of potential impacts on the airspace in the vicinity of the Project during construction, operation, decommissioning and rehabilitation; and
- **Opportunity for Improvement No. 3:** Additional temporary soil stabilisation measures, such as the application of soil binder at key locations, could be implemented prior to the establishment of final landscaping/vegetative cover to further reduce the potential for erosion/sedimentation and/or dust generation during construction of the Project.

#### 4.14 Key Strengths

A high standard of environmental management inclusive of documentation, record keeping and on site practices was evident during completion of the Independent Environmental Audit with several key strengths evident as noted below:

- The Project team, inclusive of both proponent and contractor personnel, was well resourced with suitably qualified, dedicated, and experienced personnel who appeared committed to best practice Project delivery and a high-quality environmental management outcome;
- The standard of record keeping was excellent. All reviewed on-site Environmental Inspection Checklists, registers and records were clear, concise and accurate;
- General housekeeping across the Project site was of a very high standard. There was no uncontained general waste/litter observed across the ground surface of the site at the time of the Auditor's site visits on 26 and 27 October 2020. It was apparent that considerable effort had been put in to ensure that all waste streams were appropriately managed with an emphasis on containing materials such as plastic strapping and cardboard which could be blown off-site to adjoining agricultural properties causing an adverse environmental impact; and
- The Project team are to be commended for maintaining a high-quality community and stakeholder management strategy. At the time of the audit, there had been no (0) community complaints recorded and it was apparent that there was a good rapport between the Project team and adjoining landowners. In short, the philosophy of being a good neighbour was evident.

## 5 RECOMMENDATIONS

### 5.1 Non-compliances

Following completion of this Independent Environmental Audit, there were zero (0) non-compliances identified with the Development Consent (Modification 3, 13 November 2019) and the associated management plans and strategies reviewed during the audit program.

### 5.2 Opportunities for Improvement

Three (3) opportunities for improvement were identified during completion of the IEA as noted below:

- **Opportunity for Improvement No. 1:** In accordance with the Development Consent (Schedule 2, Condition 8), DPIE was initially notified that the date of commencement of construction would be 25 April 2020. During completion of this Audit, the proponent confirmed that the actual date of the commencement of construction was 22 May 2020, which is approximately one (1) month later than initially advised to the Department. As such, it is suggested that the proponent contacts DPIE to provide an updated notification regarding the date of commencement of construction;
- **Opportunity for Improvement No. 2:** It is noted that a rural airfield, which is reportedly used on a seasonal basis by crop-dusting aircraft, is located adjacent to the eastern boundary of the Project site. As such, it is suggested that the proponent consult with the relevant authority, if they have not already done so, to determine if any aviation notifications and/or warning devices, etc., are required to be in place to ensure management of potential impacts on the airspace in the vicinity of the Project during construction, operation, decommissioning and rehabilitation; and
- **Opportunity for Improvement No. 3:** Additional temporary soil stabilisation measures, such as the application of soil binder at key locations, could be implemented prior to the establishment of final landscaping/vegetative cover to further reduce the potential for erosion/sedimentation and/or dust generation during construction of the Project.

Following issue of the draft report associated with the IEA, information was provided by the Project proponent, Genex Power Limited, to address Opportunity for Improvement No. 1 No. 2 as noted below:

- **Opportunity for Improvement No. 1:** An updated notification regarding the date of commencement of construction was provided to DPIE by the proponent on 04 November 2020; and
- **Opportunity for Improvement No. 2:** Correspondence was provided by the proponent regarding the consultation that had occurred with the owner of the rural airfield, Optifarm, the Civil Aviation Safety Authority and DPIE to manage aviation safety in the vicinity of the airfield.

Based on review of this information the Auditor considers these two (2) Opportunities for Improvement were adequately addressed and no further action is recommended.

## 6 CONCLUSION

Vantage Environmental Management Pty Ltd has conducted an Independent Environmental Audit (IEA) to assess the environmental performance and compliance status of the Jemalong Solar Project (NSW Department of Planning, Industry and Environment Application Number SSD 8803). The IEA was a requirement of Schedule 4, Condition 7 of the Project's Development Consent (Modification 3, 13 November 2019) and conducted in accordance with the Department's *Independent Audit – Post Approval Requirements* (2018).

There were zero (0) non-compliances identified with Development Consent conditions and the associated management plans and strategies reviewed during the audit program. Three (3) Opportunities for Improvement were identified that were of a minor nature. Upon issue of the draft Audit report, the proponent provided additional information to appropriately address two (2) of these three (3) opportunities.

Overall, a high standard of compliance was evident during the completion of the Audit and environmental management inclusive of documentation, record keeping and on-site practices were deemed to be generally consistent with Consent Conditions and associated strategies, plans and programs.

It is considered that the management strategies in place to mitigate potential construction impacts were appropriate and the impacts observed on site were consistent with those identified in the EIS.

There were no complaints or environmental incidents reported within the Audit period which is commendable.

# Appendix A

DPIE Audit Team Endorsement: 25 September 2020



Contact: Katrina O'Reilly  
Phone: 6229 7909  
Email:  
[katrina.oreilly@planning.nsw.gov.au](mailto:katrina.oreilly@planning.nsw.gov.au)

Mr Harrison Holihan  
Commercial Manager  
Genex Power  
GPO Box 4626  
Sydney NSW 2001

e. [hh@genexpower.com.au](mailto:hh@genexpower.com.au)

**25 September 2020**

Dear Harrison

**Jemalong Solar – SSD 8803  
Independent Auditor (SSD 8803-PA-15)**

I refer to your email dated 14 September 2020 requesting the Planning Secretary's approval of the suitability of the Auditor's qualifications, experience and independence to undertake an independent audit of the Jemalong Solar ("the Project"), in accordance with Schedule 4, Condition 7 of SSD 8803, as modified ("the approval").

Having considered the qualifications and experience of Mr Toby Hobbs and Ms Susanna Price of Vantage Environmental Management, the Planning Secretary endorses the appointment of Mr Hobbs and Ms Price to undertake the audit in accordance with Schedule 4, Condition 7 of the approval. This approval is conditional on Mr Hobbs and Ms Price being independent of the development.

The audit is to be conducted in accordance with the condition of approval and the Department's Independent Audit Post Approval Requirements (June 2018). A copy of the requirements can be located at <https://www.planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Compliance-policy-and-guidelines/Independent-audit-post-approval-requirements>. Auditors may wish to have regard to AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing.

In accordance with Schedule 4 Condition 7 of the approval, within three months of commencing the audit, Genex Power Limited is to submit a copy of the audit report to the Planning Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Planning Secretary, it is recommended that Genex Power Limited review the report to ensure it complies with the relevant consent condition.

Please ensure this correspondence with appended to the Audit.

Should you have any enquiries in relation to this matter, please contact me on the above details.

Yours sincerely

Katrina O'Reilly  
**Team Leader Compliance**  
*as nominee of the Secretary*

# Appendix B

Consultation



Mr Toby Hobbs  
Principal Auditor  
Vantage Environmental Management Pty Ltd

06/10/2020

Dear Mr Hobbs,

**Jemalong Solar (SSD 8803)  
Independent Environmental Audit Schedule**

Reference is made to the Independent Environmental Audit (IEA) schedule submitted to the Department of Planning, Industry and Environment (the Department) for the Jemalong Solar (the Project) as required by Schedule 4 Condition 7 of SSD 8803 (the consent).

The Department considers that the IEA schedule generally satisfies the requirements of the consent.

If you wish to discuss the matter further, please contact myself on 0429400261 or at [katrina.oreilly@planning.nsw.gov.au](mailto:katrina.oreilly@planning.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly'.

Katrina O'Reilly  
Team Leader - Compliance  
Compliance

As nominee of the Planning Secretary

**From:** [Katrina O'Reilly](#)  
**To:** [Toby Hobbs](#)  
**Subject:** Jemalong Solar IEA  
**Date:** Tuesday, 6 October 2020 1:47:43 PM

---

Good afternoon Mr Hobbs,

As part of the IEA consultation process with agencies for the above project, the Department would like confirmation on whether:

- appropriate certificates have been obtained;
- appropriate approvals have been obtained for management plans prior to commencing;
- site layout is in accordance with consent;
- road upgrades have been undertaken to the approval of road authority (Council/TfNSW) and completed prior to commencement of construction;
- aboriginal sites have been protected/managed in accordance with consent; and
- native vegetation has been retained/fenced/protected/enhanced in accordance with consent and management plans;

and focus on areas/measures such as:

- waste management on site;
- water management on site;
- erosion and sediment controls;
- dust management;
- management/recording of complaints and non-compliances; and
- community consultation and engagement.

If you require further clarification on the above please contact me on the below.

Regards  
Katrina

**Katrina O'Reilly**  
**Team Leader Compliance**

Energy, Industry & Compliance | Planning and Assessment  
T 02 6229 7909 | M 0429 400261 | E [katrina.oreilly@planning.nsw.gov.au](mailto:katrina.oreilly@planning.nsw.gov.au)  
PO Box 5475 | Level 1 11 Farrer Place Queanbeyan NSW 2620  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

**From:** [Rory Duggan](#)  
**To:** [Susannah Price](#)  
**Cc:** [Coburn, Justin](#); [Mathew Teale](#)  
**Subject:** RE: Introducing auditors for the Jemalong Solar Farm  
**Date:** Friday, 30 October 2020 4:21:36 PM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image001.png](#)

---

Hi Susannah,

In regards to your questions below I can confirm that the upgrade works to the intersection of Lachlan Valley Way and Wilbertroy Lane (Condition 5(a)) have been completed and finalised to the satisfaction of Council. A final inspection was undertaken of the upgrade works to Wilbertroy and Naroo Lanes (Condition 5(b) and 6) on Friday 23<sup>rd</sup> October 2020 and the works were found to be to the satisfaction of Council. The only outstanding items are the submission of some quality assurance documents which Beon are yet to receive from their contractor but we anticipate to see them in the near future.

In addition to the above I can confirm that Council currently have no issues or points of concern to raise in regards to the project.

Feel free to contact me if you need any further information.

**Rory Duggan | Development & Planning Engineer**  
**Forbes Shire Council**

P: 02 6850 2300  
E: [Rory.Duggan@forbes.nsw.gov.au](mailto:Rory.Duggan@forbes.nsw.gov.au)  
W: [www.forbes.nsw.gov.au](http://www.forbes.nsw.gov.au)  
2 Court Street Forbes NSW 2871



Please consider the environment before printing

**DISCLAIMER:** The information contained in this email message and any accompanying files is, or may be, confidential. If you are not the intended recipient, any use, dissemination, reliance, forwarding, printing or copying of this email or any attached files is unauthorised. This email is subject to copyright. No part of it should be reproduced, adapted or communicated without the written consent of the copyright owner. If you have received this email in error, please advise the sender immediately by return email, or telephone and delete all copies. Forbes Shire Council does not guarantee the accuracy or completeness of any information contained in this email or attached files. Unless otherwise stated, the opinions expressed in this email are those of the writer and do not necessarily represent those of Forbes Shire Council. Information contained in this email should not be relied upon where loss, damage or injury is possible. Internet communications are not secure and Forbes Shire Council does not accept legal responsibility for the contents of this message or attached files. No employee or agent is authorised to conclude any binding agreement on behalf of Forbes Shire Council without the express written confirmation by the General Manager of Forbes Shire Council. Forbes Shire Council does not warrant or guarantee this message to be free of errors, interference or viruses.

---

**From:** Mathew Teale  
**Sent:** Thursday, 29 October 2020 5:06 PM  
**To:** Rory Duggan <[Rory.Duggan@forbes.nsw.gov.au](mailto:Rory.Duggan@forbes.nsw.gov.au)>  
**Cc:** [sprice@venv.com.au](mailto:sprice@venv.com.au); [Coburn, Justin](mailto:Coburn, Justin) <[jucoburn@beon-es.com.au](mailto:jucoburn@beon-es.com.au)>  
**Subject:** FW: Introducing auditors for the Jemalong Solar Farm

Rory,

Could you please review the below email and provide a comment back to Susannah on the road upgrades to Wilbertroy Lane.

Thanks

Mat

**Mathew Teale | Manager Development & Planning  
Forbes Shire Council**

P: 02 6850 2300

E: [Mathew.Teale@forbes.nsw.gov.au](mailto:Mathew.Teale@forbes.nsw.gov.au)

W: [www.forbes.nsw.gov.au](http://www.forbes.nsw.gov.au)

2 Court Street Forbes NSW 2871



Please consider the environment before printing

**DISCLAIMER:** *The information contained in this email message and any accompanying files is, or may be, confidential. If you are not the intended recipient, any use, dissemination, reliance, forwarding, printing or copying of this email or any attached files is unauthorised. This email is subject to copyright. No part of it should be reproduced, adapted or communicated without the written consent of the copyright owner. If you have received this email in error, please advise the sender immediately by return email, or telephone and delete all copies. Forbes Shire Council does not guarantee the accuracy or completeness of any information contained in this email or attached files. Unless otherwise stated, the opinions expressed in this email are those of the writer and do not necessarily represent those of Forbes Shire Council. Information contained in this email should not be relied upon where loss, damage or injury is possible. Internet communications are not secure and Forbes Shire Council does not accept legal responsibility for the contents of this message or attached files. No employee or agent is authorised to conclude any binding agreement on behalf of Forbes Shire Council without the express written confirmation by the General Manager of Forbes Shire Council. Forbes Shire Council does not warrant or guarantee this message to be free of errors, interference or viruses.*

---

**From:** Susannah Price [<mailto:sprice@venv.com.au>]

**Sent:** Monday, 19 October 2020 1:22 PM

**To:** Mathew Teale <[Mathew.Teale@forbes.nsw.gov.au](mailto:Mathew.Teale@forbes.nsw.gov.au)>

**Subject:** FW: Introducing auditors for the Jemalong Solar Farm

Hi Mathew,

Further to Justin's email below, I am part of a team undertaking an Independent Environmental Audit (as per the NSW Government's Development Consent, see attached) of the Jemalong Solar Farm.

As part of the audit, we are seeking input from Council as to whether they have any concerns with the environmental performance of the construction of the project.

In addition, Schedule 3, Conditions 5(a), 5(b) and 6 of the Development Consent required certain works to be undertaken "to the satisfaction of Council". It is my understanding from correspondence between Forbes City Council and Beon (see attached), provided by Genex, that Condition 5(a) works (upgrade of the intersection of Lachlan Valley Way and Wilbertroy Lane) were finalised to the satisfaction of Council.

Regarding the Condition 5(b) works (upgrade of Wilbertroy Lane and Naroo Lane between Lachlan Valley Way and the project site) and Condition 6 works (site access point off Naroo Lane), could

you please provide an update as to the progress of these works as I understand they have not yet been finalised to the satisfaction of Council.

Please feel free to get back to me via email or phone (mobile is best).

Thanks very much for your time.

Regards  
Susannah

**SUSANNAH PRICE, MSc**  
Project Manager

Vantage Environmental Management Pty Ltd  
PO Box 378 Albury NSW 2640  
**T** (02) 6021 8655 **M** 0421 871 433  
[www.venv.com.au](http://www.venv.com.au)

🔄 This email is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

🌱 Please consider the environment before printing this e-mail

---

**From:** Coburn, Justin <[jucoburn@beon-es.com.au](mailto:jucoburn@beon-es.com.au)>  
**Sent:** Friday, 9 October 2020 4:41 PM  
**To:** Mathew Teale <[Mathew.Teale@forbes.nsw.gov.au](mailto:Mathew.Teale@forbes.nsw.gov.au)>  
**Cc:** Toby Hobbs <[thobbs@venv.com.au](mailto:thobbs@venv.com.au)>; Susannah Price <[sprice@venv.com.au](mailto:sprice@venv.com.au)>  
**Subject:** Introducing auditors for the Jemalong Solar Farm

Hi Mat,

Hope things are going well and the new baby is keeping you on your toes.

I just wanted to introduce you to two auditors, Toby and Susannah, who are going to be undertaking an audit at the Jemalong Solar Farm and have asked for our contact at Forbes Council. So I am connecting them to you in the first instance and if the contact person is not you, could you please point them in the right direction.

Please let me know if you need any information from me.

Thanks and all the best,

Justin

**Justin Coburn**  
Community and Stakeholder Engagement Manager



11 Tavistock Place, Melbourne VIC 3000

P. 03 83792732

M. 0437 648 009

E [jucoburn@beon-es.com.au](mailto:jucoburn@beon-es.com.au)

W. [beon-es.com.au](http://beon-es.com.au)

## **Energy from every angle**

Energy Solutions Pty Ltd. This email and any file attachments are confidential and intended for the sole use of the individual or entity to whom they are addressed. If you have received this email in error please notify us immediately by return email and delete the document.

**From:** [Susannah Price](#)  
**To:** [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au)  
**Cc:** [planning.matters@epa.nsw.gov.au](mailto:planning.matters@epa.nsw.gov.au)  
**Subject:** FW: Proposed Audit Scope - Jemalong Solar\_SSD 8803 [ ref:\_00D7F6iTix.\_5007F13fkLu:ref ]  
**Date:** Monday, 19 October 2020 1:26:00 PM  
**Attachments:** [Jemalong Solar\\_SSD 8803\\_Proposed Audit Scope\\_EPA.pdf](#)  
[Jemalong Solar\\_Development Consent\\_Mod 3.pdf](#)

---

Hi,

Further to my email below, I am part of a team undertaking an Independent Environmental Audit (as per the NSW Government's Development Consent, see attached) of the Jemalong Solar Farm.

As part of the audit, we are seeking input from EPA as to whether they have any concerns with the environmental performance of the construction of the project.

Please feel free to get back to me via email or phone (mobile is best).

Thanks very much for your time.

Regards  
Susannah

**SUSANNAH PRICE, MSc**  
Project Manager

Vantage Environmental Management Pty Ltd  
PO Box 378 Albury NSW 2640  
T (02) 6021 8655 M 0421 871 433  
[www.venv.com.au](http://www.venv.com.au)

 This email is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

 Please consider the environment before printing this e-mail

---

**From:** Environment Line <[info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)>  
**Sent:** Thursday, 1 October 2020 2:10 PM  
**To:** [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au)  
**Cc:** Susannah Price <[sprice@venv.com.au](mailto:sprice@venv.com.au)>; [planning.matters@epa.nsw.gov.au](mailto:planning.matters@epa.nsw.gov.au)  
**Subject:** FW: Proposed Audit Scope - Jemalong Solar\_SSD 8803 [ ref:\_00D7F6iTix.\_5007F13fkLu:ref ]

FYI

Kind regards,

Hillan



DOC20/822059-2

Mr Toby Hobbs  
Vantage Environmental Management Pty Ltd  
Albury NSW 2640  
Email: [sprice@venv.com.au](mailto:sprice@venv.com.au)

Attention: Susannah Price

21 October 2020

Dear Mr Hobbs

**JEMALONG SOLAR SSD 8803  
Proposed Independent Environmental Audit**

I refer to correspondence of 1 October 2020 requesting input from the Environment Protection Authority (EPA) in regard to the independent environmental audit proposed for the Jemalong Solar Farm Project (SSD 8803) (the Proposal).

As the Proposal does not constitute a "Scheduled" activity under the Protection of the Environment Operations Act 1997 (the POEO Act) and is not being conducted by a public authority the EPA is not the Appropriate Regulatory Authority (ARA) under the POEO Act.

Forbes Council is the ARA and would therefore be best placed to provide advice regarding the Proposal.

If you have any questions regarding this matter, please contact Ms Lucy Apps at the Regional South (Bathurst) Office of the EPA on (02) 6333 3800 or via e-mail at [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sandie Jones'.

**Dr SANDIE JONES**  
**Manager Regional Operations South**  
**Regulatory Operations Regional**

Phone 131 555  
Phone +61 2 6333 3800

TTY 133 677  
ABN 43 692 285 758

PO Box 1388  
Bathurst NSW 2795  
Australia

L102,346 Panorama  
Avenue  
Bathurst NSW 2795  
Australia

[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

Digital Information Office (DIO) | Corporate Services Department of Planning, Industry and Environment

T 131 555 | E [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

4 Parramatta Square, 12 Darcey St, Parramatta NSW 2150

<https://www.epa.nsw.gov.au/about-us/contact-us/environmentline>

[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)

----- Forwarded Message -----

**From:** Susannah Price [sprice@venv.com.au]

**Sent:** 1/10/2020 1:36 PM

**To:** [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

**Subject:** Proposed Audit Scope - Jemalong Solar\_SSD 8803

Hi,

Please find attached a proposed audit scope for an Independent Environmental Audit of the Jemalong Solar project (located near Forbes, NSW) for your consideration. We appreciate if you could please forward this email to the relevant EPA officer in the Forbes area.

If you have any questions, please don't hesitate to contact me.

Regards

Susannah

**SUSANNAH PRICE, MSc**

Project Manager

Vantage Environmental Management Pty Ltd

PO Box 378 Albury NSW 2640

**T** (02) 6021 8655 **M** 0421 871 433

[www.venv.com.au](http://www.venv.com.au)

 This email is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

 Please consider the environment before printing this e-mail



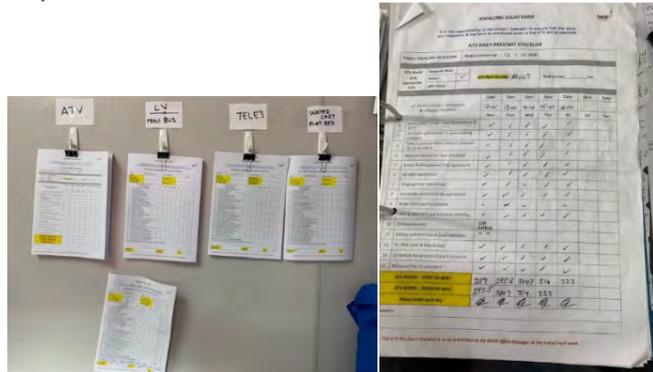
ref:\_00D7F6iTix.\_5007F13fkLu:ref

# Appendix C

## Independent Audit Table

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>SCHEDULE 2: ADMINISTRATIVE CONDITIONS</b>				
<b>OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT</b>				
Schedule 2 Condition 1	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	<p>- All evidence collected and observations made during this audit (for construction phase of development).</p> <p>Evidence was not collected regarding the operation, upgrading or decommissioning phases of the development as these phases have not yet occurred.</p>	The environmental management and mitigation measures in place for construction of the Project were deemed to be generally suitable and consistent with Consent conditions.	<p>Compliant (Construction phase only)</p> <p>Not Triggered (Operation, upgrading or decommissioning phase)</p>
<b>TERMS OF CONSENT</b>				
Schedule 2 Condition 2	<p>The Applicant must carry out the development:</p> <p>(a) generally in accordance with the EIS; and</p> <p>(b) in accordance with the conditions of this consent.</p> <p><i>Note: The general layout of the development is shown in Appendix 1.</i></p>	The findings of this audit	The development is being carried out generally in accordance with the EIS and the conditions of this Development Consent. No significant adverse impacts associated with construction were identified during the audit.	Compliant
Schedule 2 Condition 3	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	N/A	There have been no reported inconsistencies between the plans and documentation referred to in this condition.	Not triggered
Schedule 2 Condition 4	<p>The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of:</p> <p>(a) any strategies, plans or correspondence that are submitted in accordance with this consent;</p> <p>(b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and</p> <p>(c) the implementation of any actions or measures contained in these documents.</p>	<p>- All evidence collected and observations made during this audit</p> <p>- Jemalong Solar Farm Pre-Construction Compliance Report (April 2020)</p>	The proponent has complied with requests and requirements from the Secretary.	Compliant
<b>FINAL LAYOUT PLANS</b>				
Schedule 2 Condition 5	<p>Prior to the commencement of construction, the Applicant must submit detailed plans of the final layout of the development to the Secretary, including details on the siting of solar panels and ancillary infrastructure.</p> <p><i>Note: If the construction of the development is to be staged, then the provision of these plans may be staged.</i></p>	<p>- Jemalong Solar Farm Site Equipment Layout Plans (Rev. 2, 30/04/20)</p> <p>- Correspondence dated 30/04/20 from proponent regarding lodgement of Final Layout Plans to DPIE</p> <p>- Correspondence dated 01/05/20 from DPIE acknowledging receipt of Final Layout Plan</p> <p>- Correspondence dated 24/04/20 from proponent providing date of Commencement of Construction as 25/04/20</p> <p>- Post Clearing Report (Final v1.0, June 2020) stating that clearing of trees was undertaken on 22/05/20 which is considered by the proponent to be the actual date of commencement of construction.</p>	<p>Detailed Final Layout Plans were lodged to DPIE on 30/04/20 which included details on the location of the solar panels and ancillary infrastructure. The plans were lodged prior to actual commencement of construction on 22/05/20.</p> <p>The date of actual commencement of construction was reported to be 22/05/20 (date of first work on site which was minor clearing of trees), however the original notification to DPIE was for a commencement date of 25/04/20.</p>	Compliant

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>UPGRADING OF SOLAR PANELS AND ANCILLARY INFRASTRUCTURE</b>				
Schedule 2 Condition 6	Over time, the Applicant may upgrade the solar panels and ancillary infrastructure on site provided these upgrades remain within the approved development footprint of the site. Prior to carrying out any such upgrades, the Applicant must provide revised layout plans and project details of the development to the Secretary incorporating the proposed upgrades.	N/A	Not relevant as upgrade has not occurred	Not triggered
<b>WORK AS EXECUTED PLANS</b>				
Schedule 2 Condition 7	Prior to the commencement of operations, or following the upgrades of any solar panels or ancillary infrastructure, the Applicant must submit work as executed plans of the development to the Department.	N/A	Not relevant as operation phase not yet commenced	Not triggered
<b>NOTIFICATION OF DEPARTMENT</b>				
Schedule 2 Condition 8	<p>Prior to the commencement of the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department in writing of the date of commencement, or cessation, of the relevant phase.</p> <p>If any of these phases of the development are to be staged, then the Applicant must notify the Department in writing prior to the commencement of the relevant stage, and clearly identify the development that would be carried out during the relevant stage.</p>	<p>- Correspondence dated 24/04/20 from proponent providing date of Commencement of Construction as 25/04/20</p> <p>- Post Clearing Report (Final v1.0, June 2020) stating that clearing of habitat trees was undertaken on 22/05/2020, which is considered by the proponent to be the actual date of commencement of construction.</p>	<p>Commencement of construction on 25/04/20 notified to DPIE.</p> <p>Commencement of other phases of development yet to be notified to DPIE.</p> <p>The proponent does not intend to stage any of the phases of development.</p> <p><b>Opportunity for Improvement No. 1:</b> Contact DPIE and update "date of commencement of construction" to 22/05/20</p>	Compliant
<b>STRUCTURAL ADEQUACY</b>				
Schedule 2 Condition 9	<p>The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the <i>Building Code of Australia</i>.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>- Under Part 4A of the EP&amp;A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.</li> <li>- Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</li> </ul>	<p>- Construction Certificate No. CC20 (Jemalong Solar Part 1) for Substation only (issued by David Whitwell, Building Certification &amp; BCA Assessor, approved 25 Feb 2020)</p> <p>- Construction Certificate No. CC20 (Jemalong Solar Part 1) for PV array and PCU foundations (issued by David Whitwell, Building Certification &amp; BCA Assessor, approved 27 May 2020)</p>	<p>The Applicant has obtained Construction Certificates for Substation, PV array and PCU foundations.</p> <p>Construction certificate still to be obtained for O&amp;M building as O&amp;M building construction not commenced at time of site audit.</p>	Compliant
<b>DEMOLITION</b>				
Schedule 2 Condition 10	The Applicant must ensure that all demolition work on site is carried out in accordance with <i>Australian Standard AS 2601-2001: The Demolition of Structures</i> , or its latest version.	N/A	The proponent is not undertaking any demolition work as part of this development	Not triggered
<b>PROTECTION OF PUBLIC INFRASTRUCTURE</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 2 Condition 11	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</p> <p>(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and</p> <p>(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.</p> <p>This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.</p>	- Essential Energy Review of Environmental Factors Worksheet for removal/relocation of a segment of overhead 22kV powerline and conversion to underground.	The proponent confirmed that removal and relocation of a segment of overhead 22kV powerline had been paid for. The location of the relocated segment of power line was observed during the Auditor's site visits of 26 and 27/10/20	Compliant
<b>OPERATION OF PLANT AND EQUIPMENT</b>				
Schedule 2 Condition 12	<p>The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>- Vehicle register/inspections/maintenance records inspected on site:</p> 	Completed register/inspections/maintenance records held on site. All relevant information presented within the registers. Information was current to date of audit.	Compliant
<b>SUBDIVISION</b>				
Schedule 2 Condition 13	<p>The Applicant may subdivide Lot 13 DP753118 to create three new allotments, in accordance with the EIS and the requirements of the EP&amp;A Act and EP&amp;A Regulation.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>- Under Part 6 of the EP&amp;A Act, the Applicant is required to obtain a subdivision certificate for a plan of subdivision.</li> <li>- Part 8 of the EP&amp;A Regulation sets out the application requirements for subdivision certificates.</li> </ul>	<p>- Forbes Shire Council Subdivision Certificate for lots including Lot 13 DP 753118 (issued on 26/10/18 under the Environmental Planning &amp; Assessment Act 1979 Sections 109J &amp; 81A (3))</p> <p>- DP1245348 documentation</p> <p>- Environmental Impact Statement, Jemalong Hybrid Solar Park: 50mw Solar Photovoltaic (Pv) Plant (Final v1, 17/11/17)</p>	<p>Proponent has undertaken subdivision of Lot 13 DP753118 to create three new allotments in accordance with the EIS and the requirements of the EP&amp;A Act and EP&amp;A Regulation:</p> <ul style="list-style-type: none"> <li>• Lot 2 DP1245348</li> <li>• Lot 7 DP1245348</li> <li>• Lot 8 DP1245348</li> </ul> <p>Subdivision certificate was obtained.</p>	Compliant
<b>SCHEDULE 3: ENVIRONMENTAL CONDITIONS - GENERAL</b>				
<b>BATTERIES</b>				
<b>Battery Storage Restriction</b>				
Schedule 3 Condition 1	<p>Battery storage is not permitted on the project site.</p> <p><i>Note: Nothing in this condition prevents the Applicant from seeking to modify the consent to permit battery storage in the future.</i></p>	N/A	Battery storage is not proposed.	Not triggered
<b>TRANSPORT</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Over-Dimensional and Heavy Vehicle Restrictions</b>				
Schedule 3 Condition 2	The Applicant must ensure that the: <ul style="list-style-type: none"> <li>(a) development does not generate more than:                             <ul style="list-style-type: none"> <li>40 heavy vehicle movements a day during construction, upgrading or decommissioning;</li> <li>20 over-dimensional vehicle movement during construction, upgrading or decommissioning; and</li> </ul> </li> <li>(b) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 19 metres, unless the Secretary agrees otherwise.</li> </ul>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20)</li> <li>- DPIE approval letter of Traffic Management Plan dated 10/02/20</li> <li>- Environmental Inspection Checklists and Heavy &amp; Over-dimensional vehicle tracking register viewed on site. Typical volumes were confirmed to range between 0 and 29 movements per day.</li> </ul>	Heavy vehicle movements were appropriately tracked and consistent with Development Consent conditions.	Compliant
Schedule 3 Condition 3	The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering or leaving the site each day.	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20)</li> <li>- DPIE approval letter of Traffic Management Plan dated 10/02/20</li> <li>- Environmental Inspection Checklists and Heavy &amp; Over-dimensional vehicle tracking register viewed on site. Typical volumes were confirmed to range between 0 and 29 movements per day.</li> </ul>	Heavy vehicle movements were appropriately tracked and consistent with Development Consent conditions.	Compliant
<b>Access Route</b>				
Schedule 3 Condition 4	All vehicular traffic associated with the development must travel to and from the project site via Lachlan Valley Way, Wilbertroy Lane, Naroo Lane and the approved site access point (shown in Appendix 1).	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20)</li> <li>- DPIE approval letter of Traffic Management Plan dated 10/02/20</li> <li>- Environmental Inspection Checklists include relevant information.</li> </ul> 	Vehicle movements were appropriately tracked and consistent with Development Consent conditions.	Compliant
<b>Road Upgrades</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 5	<p>Prior to the commencement of construction, the Applicant must:</p> <p>(a) upgrade the intersection of the Lachlan Valley Way and Wilbertroy Lane to provide a Basic Right Turn (BAR) treatment and Basic Left Turn (BAL) treatment to the satisfaction of RMS and in accordance with the <i>Austrroads Guide to Road Design</i> (as amended by RMS supplements), unless RMS agrees otherwise;</p> <p>(b) upgrade Wilbertroy Lane and Naroo Lane between Lachlan Valley Way and the project site access point, excluding the Cadow Channel crossing, to allow two-way construction traffic, including:</p> <ul style="list-style-type: none"> <li>sealing Wilbertroy Lane a minimum of 50 metres from the edge of the Lachlan Valley Way travel lane;</li> <li>widening both roads to a minimum width of 7 metres;</li> <li>applying an all-weather gravel surface seal to both roads; and</li> <li>upgrading the intersection of the Wilbertroy Lane and Naroo Lane; to the satisfaction of Council.</li> </ul>	<p>Schedule 3 Condition 5(a) upgrade:</p> <ul style="list-style-type: none"> <li>- Photo of 07/05/20 showing intersection complete</li> <li>- Email from TfNSW (formerly RMS) stating that works are completed to their satisfaction dated 07/07/20</li> <li>- Email from Forbes City Council stating that works are completed to their satisfaction dated 23/06/20</li> </ul> <p>Schedule 3 Condition 5(b) upgrade:</p> <ul style="list-style-type: none"> <li>- Email from Beon of 07/04/20 requesting commencement of construction prior to upgrade finalisation and email approval from DPIE dated 24/04/20 (and subsequent correspondence)</li> <li>- Email from Forbes City Council of 30/10/20 stating that works have been completed and finalised to the satisfaction of Council as of 23/10/20</li> </ul>	<p>Schedule 3 Condition 5(a) upgrade: Site works were completed on 07/05/20 prior to actual commencement of construction on 22/05/20.</p> <p>Schedule 3 Condition 5(b) upgrade: Works were finalised on 23/10/20 and DPIE approved that these works could be finished after commencement of construction.</p>	Compliant
<b>Site Access</b>				
Schedule 3 Condition 6	<p>Prior to the commencement of construction, the Applicant must construct one site access point off Naroo Lane (shown in Appendix 1) with a Rural Property Access type treatment to cater for the largest vehicle accessing the site, in accordance with the <i>Austrroads Guide to Road Design</i>, to the satisfaction of Council.</p>	<ul style="list-style-type: none"> <li>- Email from Beon of 07/04/20 requesting commencement of construction prior to upgrade finalisation and email approval from DPIE dated 24/04/20 (and subsequent correspondence)</li> <li>- Email from Forbes City Council of 30/10/20 stating that works have been completed and finalised to the satisfaction of Council as of 23/10/20</li> </ul>	Works were finalised on 23/10/20 and DPIE approved that these works could be finished after commencement of construction.	Compliant
<b>Operating Conditions</b>				
Schedule 3 Condition 7	<p>The Applicant must ensure:</p> <p>(c) the internal project site roadways are constructed as all-weather roadways;</p> <p>(d) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;</p> <p>(e) the capacity of the existing roadside drainage network is not reduced;</p> <p>(f) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and</p> <p>(g) vehicles leaving the site are in a clean condition and do not result in dirt being tracked onto the public road network.</p>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20)</li> <li>- DPIE approval letter of Traffic Management Plan dated 10/02/20</li> <li>- Jemalong Solar Farm Access Track Layout and Sections Site Equipment Layout Plans (Rev. 2, 21 January 2020)</li> <li>- Environmental Inspection Checklists</li> </ul>	<p>Triggered during operation period, although relevant environmental protection measures have been implemented as part of the construction phase.</p> <p><b>Opportunity for Improvement No. 2:</b> It is noted that a rural airfield, which is reportedly used on a seasonal basis by crop-dusting aircraft, is located adjacent to the eastern boundary of the Project site. As such, it is suggested that the proponent consult with the relevant authority, if they have not already done so, to determine if any aviation notifications and/or warning devices, etc. are required to be in place to ensure management of potential impacts on the airspace in the vicinity of the Project during construction, operation, decommissioning and rehabilitation.</p>	Not triggered
<b>Unformed Crown Roads</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 8	The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with the Department of Industry – Crown Lands and Water.	- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20), Section 5.3  - Registration documentation for electricity easement over unformed crown road	The proponent reports that one unformed Crown road will be traversed by the new overhead transmission line and a 30m easement for this line has been registered over the Crown road.	Compliant
<b>Traffic Management Plan</b>				
Schedule 3 Condition 9	Prior to the commencement of any road upgrades required under this consent, the Applicant must prepare a Traffic Management Plan for the development in consultation with the RMS and Council, and to the satisfaction of the Secretary. This plan must include: (a) details of the transport route to be used for development-related traffic; (b) a protocol for undertaking dilapidation surveys to assess the: <ul style="list-style-type: none"> <li>• existing condition of Wilbertroy Lane and Naroo Lane prior to construction, upgrading or decommissioning activities; and</li> <li>• condition of Wilbertroy Lane and Naroo Lane following construction, upgrading or decommissioning activities;</li> </ul> (c) a protocol for the repair of Wilbertroy Lane and Naroo Lane identified in the dilapidation surveys to have been damaged during construction, upgrading or decommissioning works; (d) details of the measures that would be implemented to minimise traffic safety issues and disruption to users of Wilbertroy Lane and Naroo Lane during construction, upgrading or decommissioning works, including: <ul style="list-style-type: none"> <li>• performance criteria, measures and indicators for shuttle bus utilisation and car-pooling in accordance with the commitments in the EIS;</li> <li>• temporary traffic controls, including detours and signage;</li> <li>• notifying the local community about project-related traffic impacts;</li> <li>• procedures for receiving and addressing complaints from the community about development-related traffic;</li> <li>• minimising potential for conflict with school buses, rail services and other motorists as far as practicable;</li> <li>• scheduling of haulage vehicle movements to minimise convoy length or platoons;</li> <li>• responding to local climate conditions that may affect road safety such as fog, dust, wet weather and flooding;</li> <li>• responding to any emergency repair or maintenance requirements; and</li> <li>• a traffic management system for managing over-dimensional vehicles; and</li> </ul> (e) a driver’s code of conduct that addresses: <ul style="list-style-type: none"> <li>• travelling speeds;</li> <li>• driver fatigue;</li> <li>• procedures to ensure that drivers adhere to the designated transport routes; and</li> <li>• procedures to ensure that drivers implement safe driving practices; and</li> </ul> (f) a flood response plan detailing procedures and options for safe access to and from the site in the event of flooding.  Following the Secretary’s approval, the Applicant must implement the Traffic Management Plan.	- Jemalong Solar Farm Traffic Management Plan (Rev 3, 14/01/20)  - DPIE approval letter of Traffic Management Plan dated 10/02/20  - Environmental Inspection Checklists  - Vehicle tracking registers  -Toolbox training records  -Induction records  -Signage	The Traffic Management Plan (TMP) was approved by DPIE stating that the Department had carefully reviewed the document and was satisfied that the plan generally met the requirements of this condition.  During the Auditor’s site visits and interviews of 26 and 27/10/20, evidence of implementation of the TMP was confirmed including records of traffic movement, shuttle bus use, posting of speed limits, tool-box records, etc.	Compliant
<b>LANDSCAPING</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Vegetation Buffer</b>				
Schedule 3 Condition 10	The Applicant must establish and maintain a mature vegetation buffer (landscape screening) at the location outlined in the figure in Appendix 1 to the satisfaction of the Secretary. This vegetation buffer must: (a) consist of a variety of vegetation species that are endemic to the area; (b) within 5 years of the commencement of construction be effective at screening views of the solar panels and ancillary infrastructure (excluding the overhead power lines) on site from surrounding residences; and (c) be properly maintained with appropriate weed management.	- Jemalong Solar Farm Landscape Plan (Final ver. 1.0, 10/02/20)  - DPIE approval letter dated 18/02/20 of Landscape Plan  - Viewing of designated buffer zone by Auditor on 26 and 27/10/20	Proponent has reported that establishment of vegetation buffer will occur during the final stages of construction. Seedlings have been procured and planting is planned for autumn 2021. Preparatory works observed during site visit inclusive of exclusion zone fencing, signage and deep-ripping.  Section 4.3 of the Landscape Plan discusses the species selected for planting.  Section 4.4 of the Landscape Plan discusses the density and planting methods.  Section 4.7 of the Landscape Plan discusses weed management.	Compliant
<b>Landscaping Plan</b>				
Schedule 3 Condition 11	Prior to the commencement of construction, the Applicant must prepare a detailed Landscaping Plan for the development in consultation with Council and surrounding landowners, to the satisfaction of the Secretary. This plan must: (a) include a description of measures that would be implemented to ensure that the vegetated buffer achieves the objectives of condition 22(a) – (c) [NB: typo, should be 10(a) – (c)] of this consent; (b) include a program to monitor and report on the effectiveness of these measures; and (c) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.  Following the Secretary’s approval, the Applicant must implement the Landscaping Plan.	- Jemalong Solar Farm Landscape Plan (Final ver. 1.0, 10/02/20)  - DPIE approval letter dated 18/02/20 of Landscape Plan	The Landscape Plan was approved by DPIE, stating that the Department had carefully reviewed the document and noted that consultation had occurred with Council and surrounding landowners.  Implementation of the Landscape Plan will occur once planting is undertaken, which is scheduled during the final stages of construction (autumn 2021). Site interview with Beon Construction Manager on 26/10/20 confirmed schedules.	Compliant
<b>Land Management</b>				
Schedule 3 Condition 12	Following any construction or upgrading on site, the Applicant must: (a) restore the ground cover of the site as soon as practicable, but within 12 months of completing any construction or upgrades, using suitable species; (b) maintain a perennial ground cover; and (c) manage weeds within this ground cover .	- Jemalong Solar Farm Biodiversity Management Plan (ver. 3, 21/04/20), Section 3.2.4 and 4.2.7  - DPIE approval letter dated 23/04/20 of Biodiversity Management Plan	Not relevant until after construction (or upgrading) is completed.  Section 3.2.4 of the Biodiversity Management Plan discusses the rehabilitation and revegetation of temporary disturbance areas.  Section 3.2.7 of the Biodiversity Management Plan discusses weed management.  Proponent has reported that spring weed (and pest) monitoring will be undertaken by Narla Environmental in October or November 2020.	Not triggered
<b>BIODIVERSITY</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status						
<b>Biodiversity Offsets</b>										
Schedule 3 Condition 13	<p>Within one year of commencing development under this consent, unless otherwise agreed by the Secretary, the Applicant must retire biodiversity credits of a number and class specified in Table 1 below to the satisfaction of OEH.</p> <p>The retirement of these credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by:</p> <p>(a) acquiring or retiring 'biodiversity credits' within the meaning of the <i>Biodiversity Conservation Act 2016</i>;</p> <p>(b) making payments into an offset fund that has been developed by the NSW Government; or</p> <p>(c) providing supplementary measures.</p> <p><i>Table 1: Ecosystem Credit Requirements</i></p> <table border="1" data-bbox="359 772 1205 869"> <thead> <tr> <th>Vegetation Community</th> <th>PCT ID</th> <th>Credits Required</th> </tr> </thead> <tbody> <tr> <td>Poplar Box grassy woodland on alluvial clay-loam soils mainly in the temperate (hot summer) climate zone of central NSW (wheatbelt)</td> <td>244</td> <td>8</td> </tr> </tbody> </table> <p><small>Note: Following repeal of the <i>Threatened Species Conservation Act 1995</i> on 25 August 2017, credits created under that Act are taken to be "biodiversity credits" under the <i>Biodiversity Conservation Act 2016</i> by virtue of clause 22 of the <i>Biodiversity Conservation (Savings and Transitional) Regulation 2017</i>.</small></p>	Vegetation Community	PCT ID	Credits Required	Poplar Box grassy woodland on alluvial clay-loam soils mainly in the temperate (hot summer) climate zone of central NSW (wheatbelt)	244	8	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Biodiversity Management Plan (ver. 3, 21/04/20), Section 3.2.9</li> <li>- DPIE approval letter dated 23/04/20 of Biodiversity Management Plan</li> <li>- Statement of assessment of reasonable equivalence of biodiversity credits from DPIE dated 29/07/20</li> <li>- Statement confirming payment into the Biodiversity Conservation Fund for an offset obligation from NSW Biodiversity Conservation Trust dated 27/08/20</li> </ul>	<p>Biodiversity credits retired using method (b), i.e. making payments into an offset fund that was developed by the NSW Government.</p> <p>Actual commencement of construction was 22/05/20 and biodiversity offsets were retired on 27/08/20, within one year of commencing development.</p>	Compliant
Vegetation Community	PCT ID	Credits Required								
Poplar Box grassy woodland on alluvial clay-loam soils mainly in the temperate (hot summer) climate zone of central NSW (wheatbelt)	244	8								
<b>Biodiversity Management Plan</b>										

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 14	<p>Prior to the commencement of construction, the Applicant must prepare a Biodiversity Management Plan for the development in consultation with BCD, and to the satisfaction of the Secretary. This plan must:</p> <p>(a) include a description of the measures that would be implemented for:</p> <ul style="list-style-type: none"> <li>• managing the remnant vegetation and fauna habitat on site;</li> <li>• minimising clearing and avoiding unnecessary disturbance of vegetation that is associated with the construction and operation of the development;</li> <li>• minimising the impacts to fauna on site (including fauna interaction with perimeter fencing) and implementing fauna management protocols;</li> <li>• avoiding the removal of hollow-bearing trees during spring to early summer to avoid the main breeding period for hollow-dependent fauna;</li> <li>• rehabilitating and revegetating temporary disturbance areas;</li> <li>• protecting vegetation and fauna habitat outside the approved disturbance areas;</li> <li>• maximising the salvage of vegetative and soil resources within the approved disturbance area for beneficial reuse in the enhancement or the rehabilitation of the site;</li> <li>• controlling weeds and feral pests;</li> </ul> <p>(b) include details of who would be responsible for monitoring, reviewing and implementing the plan, and timeframes for completion of actions.</p> <p>Following the Secretary’s approval, the Applicant must implement the Biodiversity Management Plan.</p> <p><i>Note: If the biodiversity offset area is conserved via a Biobanking Agreement, then the Biodiversity Management Plan does not need to include any of the matters that are covered under the Biobanking Agreement.</i></p>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Biodiversity Management Plan (ver. 3, 21/04/20), Section 3.2.4 and 4.2.7</li> <li>- DPIE approval letter dated 23/04/20 of Biodiversity Management Plan</li> <li>- Baseline Monitoring Report (Final v1.0, June 2020)</li> <li>- Pre-Clearing Survey Report (Final v1.0, June 2020)</li> <li>- Post Clearing Report (Final v1.0, June 2020)</li> <li>- Review of site induction and toolbox records</li> <li>- Environmental Inspection Checklists</li> </ul>	<p>A pre-construction baseline survey was undertaken by Narla Environmental on 21 and 22/04/20.</p> <p>A pre-clearance survey was undertaken by Narla Environmental on 14/05/20.</p> <p>Clearing of habitat trees was undertaken on 22/05/20 and was supervised by Narla ecologists.</p> <p>Proponent has reported that spring weed and pest monitoring will be undertaken by Narla Environmental in October or November 2020.</p> <p>It is noted that the first biannual biodiversity monitoring report would be due 6 months after commencement of construction, i.e. 22 November 2020 (covering the period of 22 May to 22 November 2020).</p> <p>It is further noted that the first annual report to DPIE assessing the efficacy of management measures will be due on 22 May 2021.</p> <p>Site induction contains information regarding flora and fauna management. Additional tool-boxing has been completed.</p> <p>Weekly inspection records contain relevant biodiversity management content.</p>	Compliant
AMENITY				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Construction, Upgrading and Decommissioning Hours</b>				
Schedule 3 Condition 15	<p>Unless the Secretary agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between:</p> <p>(a) 7 am to 6 pm Monday to Friday;                      (b) 8 am to 1 pm Saturdays; and                      (c) at no time on Sundays and NSW public holidays.</p> <p>The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:</p> <ul style="list-style-type: none"> <li>the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or</li> <li>emergency work to avoid the loss of life, property and/or material harm to the environment.</li> </ul>	<p>- DPIE approval letter dated 29/11/19 for extension of construction hours</p> <p>- NSW Government <i>Environmental Planning and Assessment (COVID-19 Development Extended Operation) Order 2020</i> (09 April 2020)</p> <p>- Induction and toolbox records</p> <p>- Interviews with site personnel</p>	<p>DPIE approved extended construction hours on 29/11/19 to:</p> <ul style="list-style-type: none"> <li>7 am to 6 pm Monday to Friday</li> <li>8 am to 5 pm Saturday</li> <li>8 am to 4 pm on Sunday</li> <li>at no time on NSW public holidays</li> </ul> <p>The above hours were approved on condition that heavy vehicle movements and high noise level emitting works such as pile driving were not undertaken within the extended construction hours.</p> <p>As of 09/04/20, the <i>Environmental Planning and Assessment (COVID-19 Development - Construction Work Days) Order 2020</i> allows extended construction hours of:</p> <ul style="list-style-type: none"> <li>7 am to 6 pm Monday to Sunday and public holidays</li> </ul> <p>with the condition that work involving the carrying out of rock breaking, rock hammering, sheet piling, pile driving or similar activities are not allowed to be carried out during these extended hours and noise must be minimised.</p> <p>Approved construction hours are monitored by Construction Manager and HSE Advisor. During site interview of 26/10/20, the Auditor confirmed site personnel were aware of permitted construction hours.</p>	Compliant
<b>Noise</b>				
Schedule 3 Condition 16	<p>The Applicant must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009), or its latest version.</p>	<p>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</p> <p>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</p> <p>- Environmental Inspection Checklists</p> <p>- Site Induction and toolbox content</p>	<p>Site works deemed to be consistent with relevant Environmental Management Strategy mitigation measures. No high-noise generating activities noted during site visit of 26 and 27/10/20.</p>	Compliant
<b>Dust</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 17	The Applicant must minimise the dust generated by the development.	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</li> <li>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</li> <li>- Environmental Inspection Checklists</li> <li>- Site Induction and toolbox content</li> </ul>	Site works deemed to be consistent with relevant Environmental Management Strategy mitigation measures. No significant dust emission noted during site visit of 26 and 27/10/20. Full time water cart is on site.	Compliant
<b>Visual</b>				
Schedule 3 Condition 18	The Applicant must: <ul style="list-style-type: none"> <li>(a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;</li> <li>(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and</li> <li>(c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.</li> </ul>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</li> <li>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</li> <li>- Proponent confirmed Project designs have incorporated relevant measures to address potential visual impacts.</li> </ul>	Pale green/grey colour tones observed in site infrastructure such as sub-station components during site visit of 26 and 27/10/20.	Not triggered
<b>Lighting</b>				
Schedule 3 Condition 19	The Applicant must: <ul style="list-style-type: none"> <li>(a) minimise the off-site lighting impacts of the development; and</li> <li>(b) ensure that any external lighting associated with the development:                             <ul style="list-style-type: none"> <li>• is installed as low intensity lighting (except where required for safety or emergency purposes);</li> <li>• does not shine above the horizontal; and</li> <li>• complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Proponent confirmed Project designs have incorporated relevant measures to address potential lighting impacts, although at the time of the Audit the lighting design had not been finalised for construction.</li> </ul>	Minimal lighting is proposed and will include down-lights on sensors at the O&M building.	Not triggered
<b>HERITAGE</b>				
Protection of Heritage Items				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 20	<p>The Applicant must ensure the development does not cause any direct or indirect impacts on Aboriginal heritage items Jemalong Locale 1, Jemalong Locale 2, Jemalong Locale 3, Jemalong Locale 4, Jemalong Locale 5 and Jemalong Locale 6.</p> <p><i>Note: The location of the Aboriginal heritage items referred to in this condition are shown in the figure in Appendix 1.</i></p>	<ul style="list-style-type: none"> <li>- Aboriginal Cultural Heritage Assessment Report (07/11/17) covering area of solar farm and substation site (references Jemalong Locales 1-6)</li> <li>- Aboriginal Heritage Due Diligence Assessment (ver. 2.0, 18/12/18) covering area of 66kV transmission line easement</li> <li>- Cultural Heritage Management Plan (CHMP), Jemalong Solar Farm (Final v.1.0, 22/01/20)</li> <li>- Site fencing around Jemalong Locale 6 observed during site visit of 27&amp;27/10/20</li> <li>- Environmental Inspection Checklists</li> </ul> 	<p>Site fencing around designated heritage area confirmed at time of site visits on 26 and 27/10/20</p> <p>Section 6 of the CHMP provides heritage mitigation requirements and control measures that are to be implemented onsite.</p> <p>Heritage mitigation measures were noted to have been assessed and recorded within Weekly Environmental Inspection checklists</p>	Compliant
<b>Discovery of Human Remains</b>				
Schedule 3 Condition 21	<p>If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and BCD as soon as possible following the discovery, and work must not recommence in the area until this is authorised by BCD.</p>	<ul style="list-style-type: none"> <li>- Cultural Heritage Management Plan (CHMP), Jemalong Solar Farm (Final v.1.0, 22/01/20)</li> </ul>	<p>Proponent reports that no discovery of human remains have been made during construction of this development.</p> <p>Appendix B of the CHMP (Unexpected Finds Protocol) refers to procedures to follow if human skeletal remains are encountered.</p>	Not triggered
<b>Chance Finds Protocol</b>				
Schedule 3 Condition 22	<p>Prior to the commencement of construction, the Applicant must prepare a Chance Finds Protocol for the development in consultation with the Aboriginal stakeholders, and to the satisfaction of BCD.</p> <p>Following BCD's approval, the Applicant must implement the Chance Finds Protocol.</p>	<ul style="list-style-type: none"> <li>- Cultural Heritage Management Plan (CHMP), Jemalong Solar Farm (Final v.1.0, 22/01/20) Appendix B</li> <li>- BCD letter dated 20/01/20 regarding Chance Finds Protocol (included within the CHMP) that stated that BCD did not identify any significant issues with the Chance Find Protocol.</li> <li>- Evidence of attempts of consultation with Aboriginal stakeholders is presented within the CHMP</li> </ul>	<p>A Chance Finds Protocol has been prepared as part of the CHMP (Appendix B - Unexpected Finds Protocol) to the satisfaction of BCD.</p> <p>Proponent and their contractor reported that no chance finds have been identified on site.</p>	Compliant
<b>SOIL &amp; WATER</b>				
<b>Water Pollution</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 23	The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20) inclusive of Soil and Water Management Plan</li> <li>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</li> <li>- Environmental Inspection Checklists</li> <li>- Site visit of 26 and 27/10/20 to view on-site environmental controls</li> </ul>	Erosion/sedimentation controls observed were consistent with Soil and Water Management Plan during site visit of 26 and 27/10/20. Significant ponded water was present at various locations due to rainfall event of approximately 50mm in 48hour period prior to the site visit. No evidence of off-site flows of sediment-laden water were observed.	Compliant
<b>Operating Conditions</b>				
Schedule 3 Condition 24	The Applicant must: <ul style="list-style-type: none"> <li>(a) minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom, 2004) manual, or its latest version;</li> <li>(b) ensure the solar panels and associated infrastructure are designed, constructed and maintained to avoid causing any tunnel erosion on site;</li> <li>(c) ensure that any infrastructure located within Flood Network Zones A or B under the <i>Lachlan River (Jemalong Gap to Condobolin) Floodplain Management Plan</i> (BCD, 2012) comply with the relevant requirements of that plan; and</li> <li>(d) ensure all works (including waterway crossings) are constructed in accordance with the:                             <ul style="list-style-type: none"> <li>• <i>Guidelines for Controlled Activities on Waterfront Land</i> (2012), or its latest version; and</li> <li>• <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (2004), or its latest version.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>- Soil and Water Management Plan (Rev. D, 11/06/20)</li> <li>- Jemalong Solar Farm Geotechnical Investigation Report (Rev 0, 24/05/19)</li> <li>- Waterway crossing correspondence between RHM Consulting Engineers, Forbes City Council and proponent/contractor</li> </ul>	Stormwater Management Plan has been developed with reference to relevant guidelines and requirements. Consultation with relevant parties has been undertaken during design and construction of waterway crossings (Wilbertroy Lane)  Erosion/sedimentation controls observed were consistent with Soil and Water Management Plan during site visit of 26 and 27/10/20.  <b>Opportunity for Improvement No. 3:</b> Additional temporary soil stabilisation measures, such as the application of soil binder at key locations, could be implemented prior to the establishment of final landscaping/vegetative cover to further reduce the potential for erosion/sedimentation and/or dust generation during construction of the Project.	Compliant
<b>HAZARDS</b>				
Storage and Handling of Dangerous Materials				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 25	<p>The Applicant must:</p> <p>(a) store and handle all dangerous or hazardous materials on site in accordance with AS1940-2004: <i>The storage and handling of flammable and combustible liquids</i>, or its latest version;</p> <p>(b) ensure the substation is suitably bunded; and</p> <p>(c) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.</p>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</li> <li>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</li> <li>- Environmental Inspection Checklists</li> <li>- Interview and site visit of 26&amp;27/10/20</li> </ul> <div style="display: flex; flex-direction: column; align-items: center;">    </div>	<p>Review of spill prevention and clean-up measures documented in Environmental Inspection Checklists.</p> <p>Well stocked spill kits present at key locations across Project site.</p> <p>Bunded storage containers present for flammable and combustible liquids.</p> <p>Portable bunds present at location where fuelling occurs and minor quantities of fuel (20L containers are stored).</p> <p>Bunding is incorporated within substation.</p>	Compliant

Operating Conditions

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 26	<p>The Applicant must:</p> <p>(a) minimise the fire risks of the development;</p> <p>(b) ensure that the development:</p> <ul style="list-style-type: none"> <li>• includes at least a 10 metre defendable space around the perimeter of the solar panel area that permits unobstructed vehicle access;</li> <li>• manages the defendable space and solar panel area as an Asset Protection Zone;</li> <li>• complies with the relevant asset protection requirements in the RFS’s <i>Planning for Bushfire Protection 2006</i> (or equivalent) and <i>Standards for Asset Protection Zones</i>;</li> <li>• is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65mm Storz fitting located adjacent to the internal access road;</li> </ul> <p>(c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and</p> <p>(d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.</p>	N/A	This condition is titled “Operating Conditions” and is interpreted to only be relevant during operation.	Not triggered
<b>Fire Management and Emergency Response Plan</b>				
Schedule 3 Condition 27	<p>Prior to the commencement of operations, the Applicant must prepare a Fire Management and Emergency Response Plan for the development in consultation with the RFS and Fire &amp; Rescue NSW. This plan must identify the fire risks and controls of the development, and the procedures that would be implemented if there is a fire on site or in the vicinity of the site. Two copies of the plan must be kept on site in a prominent position adjacent to the site entry point at all times.</p>	N/A	This condition must be complied with prior to commencement of operations and is therefore not relevant to this audit. However, Beon confirmed the FMERP for operation is being prepared and they intend to issue a draft version for stakeholder review during November 2020.	Not triggered
<b>WASTE</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 3 Condition 28	<p>The Applicant must:</p> <ul style="list-style-type: none"> <li>(a) minimise the waste generated by the development;</li> <li>(b) classify all waste generated on site in accordance with the EPA’s Waste Classification Guidelines 2014 (or its latest version);</li> <li>(c) store and handle all waste on site in accordance with its classification;</li> <li>(d) not receive or dispose of any waste on site; and</li> <li>(e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.</li> </ul>	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</li> <li>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</li> <li>- Waste register</li> <li>- Environmental Inspection Checklists</li> <li>- Site visits and interviews of 26 and 27/10/20</li> </ul> <div style="display: flex; flex-direction: column; align-items: center;">   </div>	<p>Evidence of appropriate waste management including a high standard of segregation, sorting and storage was noted during the site visit.</p> <p>Housekeeping was of a very high standard across the entire Project site.</p> <p>An electronic register of waste streams was maintained by the contractor.</p> <p>Innovative systems were in place to ensure wastes were appropriately and effectively managed.</p> <p>It is noted that particular attention was paid to managing wastes, such as plastic baling material, that could easily be transported by wind to adjoining farmland areas which is commendable.</p>	Compliant

**DECOMMISSIONING AND REHABILITATION**

Schedule 3 Condition 29	<p>Within 18 months of the cessation of operations, unless the Secretary agrees otherwise, the Applicant must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 2 of the Development Consent.</p> <p><i>Table 2: Rehabilitation Objectives</i></p> <table border="1" data-bbox="359 1591 1279 1801"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Project site</td> <td> <ul style="list-style-type: none"> <li>• Safe, stable and non-polluting</li> <li>• Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul> </td> </tr> <tr> <td>Solar farm infrastructure</td> <td> <ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul> </td> </tr> <tr> <td>Land use</td> <td> <ul style="list-style-type: none"> <li>• Restore land capability to pre-existing agricultural use</li> </ul> </td> </tr> <tr> <td>Community</td> <td> <ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul> </td> </tr> </tbody> </table>	Feature	Objective	Project site	<ul style="list-style-type: none"> <li>• Safe, stable and non-polluting</li> <li>• Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul>	Solar farm infrastructure	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul>	Land use	<ul style="list-style-type: none"> <li>• Restore land capability to pre-existing agricultural use</li> </ul>	Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul>	N/A	This condition is relevant to a period after cessation of operations and is therefore not relevant to this audit.	Not triggered
Feature	Objective													
Project site	<ul style="list-style-type: none"> <li>• Safe, stable and non-polluting</li> <li>• Minimise the visual impact of any above ground ancillary infrastructure agreed to be retained for an alternative use</li> </ul>													
Solar farm infrastructure	<ul style="list-style-type: none"> <li>• To be decommissioned and removed, unless the Secretary agrees otherwise</li> </ul>													
Land use	<ul style="list-style-type: none"> <li>• Restore land capability to pre-existing agricultural use</li> </ul>													
Community	<ul style="list-style-type: none"> <li>• Ensure public safety</li> </ul>													

**SCHEDULE 4 - ENVIRONMENTAL MANAGEMENT AND REPORTING**

**ENVIRONMENTAL MANAGEMENT**

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
<b>Environmental Management Strategy</b>				
Schedule 4 Condition 1	<p>Prior to the commencement of construction, the Applicant must prepare an Environmental Management Strategy for the development to the satisfaction of the Secretary. This strategy must:</p> <p>(a) provide the strategic framework for environmental management of the development;</p> <p>(b) identify the statutory approvals that apply to the development;</p> <p>(c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> <li>• keep the local community and relevant agencies informed about the operation and environmental performance of the development;</li> <li>• receive, handle, respond to, and record complaints;</li> <li>• resolve any disputes that may arise;</li> <li>• respond to any non-compliance;</li> <li>• respond to emergencies; and</li> </ul> <p>(e) include:</p> <ul style="list-style-type: none"> <li>• copies of any plans approved under the conditions of this consent; and</li> <li>• a clear plan depicting all the monitoring to be carried out in relation to the development.</li> </ul> <p>Following the Secretary’s approval, the Applicant must implement the Environmental Management Strategy.</p>	<p>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20)</p> <p>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</p> <p>- Environmental Inspection Checklists</p> <p>- Site visits and interviews of 26 and 27/10/20</p>	<p>A copy of the approved Environmental Management Strategy was held within the Project site office. Site personnel were familiar with the content of the strategy and evidence of implementation was observed during the site visits of 26 and 27/10/20.</p> <p>A number of completed Environmental Inspection Checklists were reviewed by the Auditor and all were noted to be correctly filled-out and contained information that was directly relevant to and consistent with the Environmental Management Strategy.</p>	Compliant
<b>Revision of Strategies and Plans</b>				
Schedule 4 Condition 2	<p>The Applicant must:</p> <p>(a) update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and</p> <p>(b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the:</p> <ul style="list-style-type: none"> <li>• submission of an incident report under condition 4 of Schedule 4;</li> <li>• submission of an audit report under condition 7 of Schedule 4; or</li> <li>• any modification to the conditions of this consent.</li> </ul>	N/A	No updates or reviews to plans or programs are deemed required at this stage of construction.	Not triggered
<b>Updating and Staging of Strategies, Plans or Programs</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 4 Condition 3	<p>With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis.</p> <p>To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval.</p> <p>With the agreement of the Secretary, the Applicant may prepare any revised strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>• While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times.</li> <li>• If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</li> </ul>	N/A	No strategies, plans or program are currently required by this consent on a progressive basis.	Not triggered
<b>COMPLIANCE</b>				
<b>Incident Notification</b>				
Schedule 4 Condition 4	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident.	<p>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20), Section 5</p> <p>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</p> <p>- Email from proponent dated 14/10/20 confirming that there have not been any incidents since the development of the project</p>	It was reported by the proponent and their contractor that there have not been any incidents since the development of this project.	Not triggered
<b>Non-Compliance Notification</b>				
Schedule 4 Condition 5	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been done, or will be, undertaken to address the non-compliance.	<p>- Jemalong Solar Farm Environmental Management Strategy (ver. 2, 14/01/20), Section 4.5</p> <p>- DPIE approval letter dated 30/01/20 of Environmental Management Strategy</p> <p>- Email from proponent dated 14/10/20 confirming that there have not been any non-compliances since the development of the project</p>	It was reported by the proponent and their contractor that there have not been any non-compliances since the development of this project.	Not triggered
<b>Compliance Reporting</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 4 Condition 6	Prior to commencing the construction, upgrading and decommissioning of the development, the Applicant must submit a compliance report to the Department in accordance with the relevant <i>Compliance Reporting Post Approval Requirements</i> (DPE 2018), or its latest version.	<ul style="list-style-type: none"> <li>- Jemalong Solar Farm Pre-Construction Compliance Report (V1, 30/04/20)</li> <li>- Receipt of lodgement of pre-construction compliance report from DPIE lodged 01/05/20</li> <li>- DPIE letter dated 16/6/2020 acknowledging receipt of pre-construction compliance report.</li> </ul>	Pre-construction compliance report was issued 30/4/2020 prior to actual date of construction on 22/5/2020.	Compliant
<b>INDEPENDENT ENVIRONMENTAL AUDIT</b>				
Schedule 4 Condition 7	<p>Within 6 months of commencing construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <ul style="list-style-type: none"> <li>(a) be prepared in accordance with the relevant <i>Independent Audit Post Approval requirements</i> (DPE 2018);</li> <li>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</li> <li>(c) be carried out in consultation with the relevant agencies;</li> <li>(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</li> <li>(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.</li> </ul> <p>Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed by the Secretary, a copy of the audit report must be submitted to the Secretary, and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations.</p> <p>The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	- This Independent Environmental Audit (IEA) report	<p>The date of actual commencement of construction was 22/05/20.</p> <p>The current IEA program commenced with an opening meeting on 09/10/20 which is within the period of six (6) months from the commencement of construction.</p>	Compliant
<b>ACCESS TO INFORMATION</b>				

Approval (ID)	Requirement	Evidence collected	Independent Audit Findings and Recommendations	Compliance Status
Schedule 4 Condition 8	<p>The Applicant must:</p> <p>(a) make the following information publicly available on its website as relevant to the stage of the development:</p> <ul style="list-style-type: none"> <li>• the EIS;</li> <li>• the final layout plans for the development;</li> <li>• current statutory approvals for the development;</li> <li>• approved strategies, plans or programs required under the conditions of this consent;</li> <li>• the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;</li> <li>• how complaints about the development can be made;</li> <li>• a complaints register;</li> <li>• any independent environmental audit, and the Applicant’s response to the recommendations in any audit; and</li> <li>• any other matter required by the Secretary; and</li> </ul> <p>(b) keep this information up to date.</p>	<p>Project website <a href="https://www.genexpower.com.au/50mw-jemalong-solar-project.html">https://www.genexpower.com.au/50mw-jemalong-solar-project.html</a></p>	<p>Relevant documents, as noted below, have been made publicly available via the project website:</p> <ul style="list-style-type: none"> <li>• Final layout plans for the development</li> <li>• Conditions of Consent (Mod 3, 13 Nov 2019)</li> <li>• Biodiversity Management Plan</li> <li>• Phone number and email to lodge complaints</li> <li>• Complaints register (0 complaints)</li> <li>• Traffic Management Plan</li> <li>• Environmental Management Strategy</li> <li>• Chance Finds Protocol</li> <li>• Landscape Plan</li> <li>• Pre-Construction Compliance Report</li> </ul> <p>It is noted that the EIS is not currently published to the Project website as this document has been deemed to be not be relevant to the current stage of development: i.e. approved construction of the Project.</p>	Compliant

# Appendix D

Site Inspection Photographs (26-27 October 2020)



**Plate 1:** View of the upgraded Wilbertroy Lane looking southwest from the intersection of the Lachlan Valley Way.



**Plate 2:** View of the recently installed solar panel associated with the southwest portion of the Project site. This area was the most advanced area of construction. Vegetative cover was generally good in this location and site layout was noted to be consistent with the Development Consent (Application Number SSD 8803)



**Plate 3:** View of the sediment fencing installed as part of the Project erosion and sedimentation control measures documented within the Soil and Water Management Plan. Standing water was observed to be present following approximately 50mm of rain in the 48hrs prior to the auditor's site visit.



**Plate 4:** View of the northern portion of the site in the area designated for future vegetation screening / tree protection. The site was appropriately established with fencing and signage in place. Deep-ripping of soils had also been completed in advance of planting.



**Plate 5:** View of heritage protection zone "Jemalong Locale 6" on the southern portion of the Project site. Suitable exclusion zone fencing and signage were deemed to be in place.



**Plate 6:** Example of spill clean-up signage and equipment noted during the Auditor's site visit of 26/27 October 2020. Appropriately stocked spill kits were noted to be present at key locations across the Project site including within the main site compound and adjacent to fuel and chemical storage areas.



Plate 7: View of the interior a bunded chemical store within the main site compound. Spill containment materials and Safety Data Sheets were present within the store.

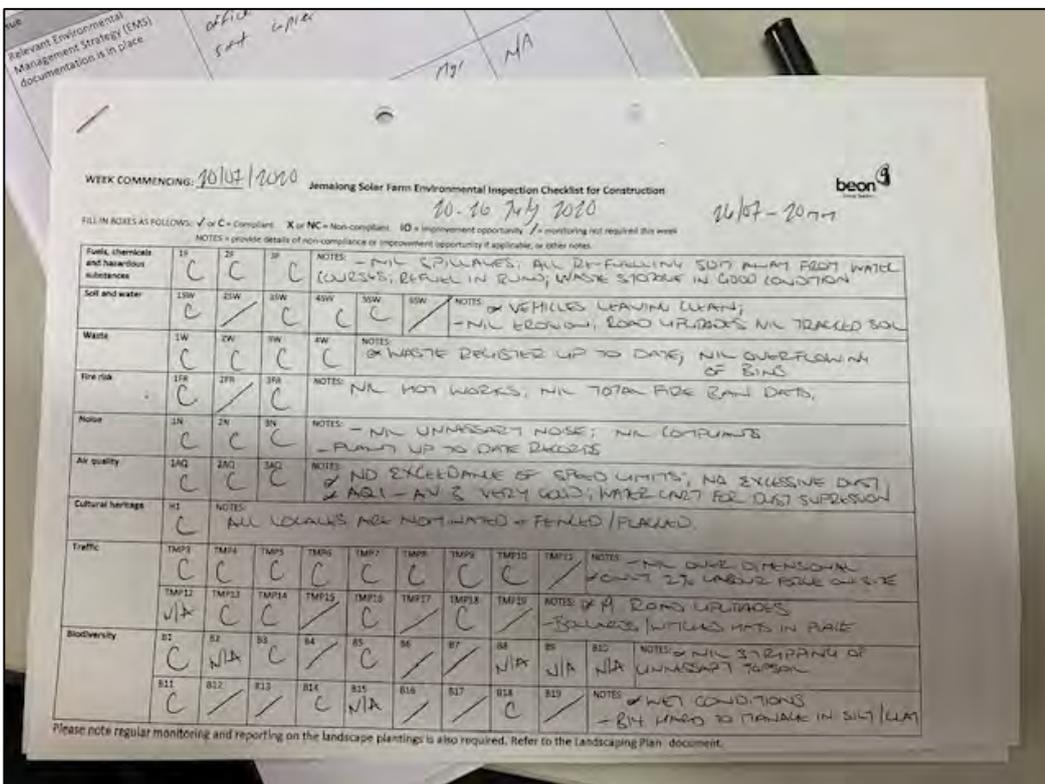


Plate 8: Example of completed weekly Environmental Inspection checklist. Multiple checklists were viewed during the audit and all were found to be completed to a high standard with relevant information presented to confirm required mitigation measures, as detailed in the Environmental Management Strategy, were in place.

# Appendix E

## Independent Audit Declaration Form

## INDEPENDENT AUDIT REPORT DECLARATION FORM

(Template from DPIE Independent Audit Post Approval Requirements, May 2020).

<b>Project Name</b>	Jemalong Solar
<b>Consent Number</b>	SSD 8803
<b>Description of Project</b>	Solar farm
<b>Project Address</b>	off Naroo Lane, Jemalong
<b>Proponent</b>	Genex Power Limited
<b>Title of Audit</b>	Independent Audit Report: Jemalong Solar Farm SSD 8803 (November 2020)
<b>Date</b>	05 November 2020

I declare that I have undertaken the Independent Audit and prepared the contents of the attached Independent Audit Report and to the best of my knowledge:

- i. the audit has been undertaken in accordance with relevant condition(s) of consent and the Independent Audit Compliance Requirements (Department 2019);
- ii. the findings of the audit are reported truthfully, accurately and completely;
- iii. I have exercised due diligence and professional judgement in conducting the audit;
- iv. I have acted professionally, objectively and in an unbiased manner;
- v. I am not related to any proponent, owner or operator of the project neither as an employer, business partner, employee, or by sharing a common employer, having a contractual arrangement outside the audit, or by relationship as spouse, partner, sibling, parent, or child;
- vi. I do not have any pecuniary interest in the audited project, including where there is a reasonable likelihood or expectation of financial gain or loss to me or spouse, partner, sibling, parent, or child;
- vii. neither I nor my employer have provided consultancy services for the audited project that were subject to this audit except as otherwise declared to the Department prior to the audit; and
- viii. I have not accepted, nor intend to accept any inducement, commission, gift or any other benefit (apart from payment for auditing services) from any proponent, owner or operator of the project, their employees or any interested party. I have not knowingly allowed, nor intend to allow my colleagues to do so.

Notes:

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

<b>Name of Auditor</b>	Toby Hobbs
<b>Signature</b>	
<b>Qualification</b>	MEnvMgmt, Principal Auditor (Exemplar Global)
<b>Company</b>	Vantage Environmental Management Pty Ltd
<b>Company Address</b>	PO Box 378, Albury NSW 2640