

CONSTRUCTION COMPLIANCE REPORT THREE

Darlington Point Solar Farm

Amendment Record

Version	Date	Description	Prepared by	Reviewed by	Approved by
1	21/09/2020	Construction Compliance Report for the Darlington Point Solar Farm	Brad Deane (Kleinfelder)	Chris Stewart (Signal Energy)	Chris Stewart (Signal Energy)

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1. Key Acronyms and Abbreviations

Acronym or Abbreviation	Meaning
CR	Compliance Report
COA	Conditions of Approval
DPE	NSW Department of Planning and Environment
DPSF	Darlington Point Solar Farm
PV	Photovoltaic
DC	Direct Current
AC	Alternating Current
DP	Deposited Plan

2. Introduction

This Compliance Report (CR) has been prepared on behalf of Signal Energy for the Applicant (Darlington Point Solar Farm Pty Ltd) to meet compliance criteria as established under Schedule 4, Condition 6 of the Darlington Point Solar (SSD 8392) Conditions of Approval (COA).

Schedule 4, Condition 6 of SSD 8392 COA states the following:

“The applicant must provide regular compliance reporting to the Department on the development in accordance with the relevant Compliance Reporting Requirements (DPE, 2018)”.

The document *Compliance Reporting: Post Approval Requirements* was prepared by the New South Wales Department of Planning and Environment (DPE) in 2018 as part of the Environmental Impact Assessment Improvement Project, with the aim to “achieve a consistent, transparent and documented approach to undertaking post approval activities and monitoring and reporting compliance in NSW” (NSW DPE, 2019).

This CR constitutes the third construction CR for the Darlington Point Solar Farm (DPSF), outlining compliance with SSD 8392 COA for works required within the second 6 months of construction. Construction of the DPSF commenced on Friday 22 March 2019, as such this CR is due by Tuesday 22 September 2020.

2.1 Project Background

The DPSF, a State Significant Development approved on 7 December 2018, covers an approximate area of 710 ha and includes construction and operation of a 275 MW solar farm, comprising of following:

Photovoltaic (PV) solar panels

- Steel mounting frames with piled foundations
- A single-axis tracking system
- Direct current (DC) / alternating current (AC) inverter stations
- Medium voltage (33kV) electrical reticulation network
- A 33/132kV switchyard, including an internal 33kV switch-room
- Internal access tracks for operational maintenance and housekeeping, to be largely located in bushfire set-back zones
- Security perimeter fencing
- Staff car park and small amenities building
- Battery energy storage system facility.

The DPSF is located at Lots 1, 2, and 4 Deposited Plan (DP) 1249830, Donald Ross Drive (3.5 km south of the Sturt Highway / Donald Ross Drive intersection), Darlington Point NSW 2706.

This compliance report covers works undertaken during the third 6 months of construction, specifically from 22 March 2020 to 22 September 2020.

Figure 1 below illustrates the location of the DPSF.

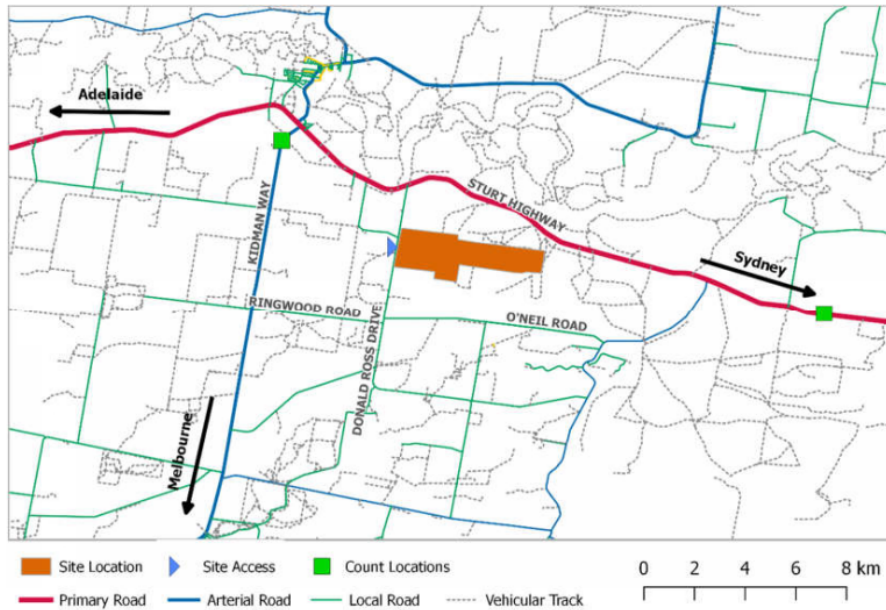


Figure 1: Site Location

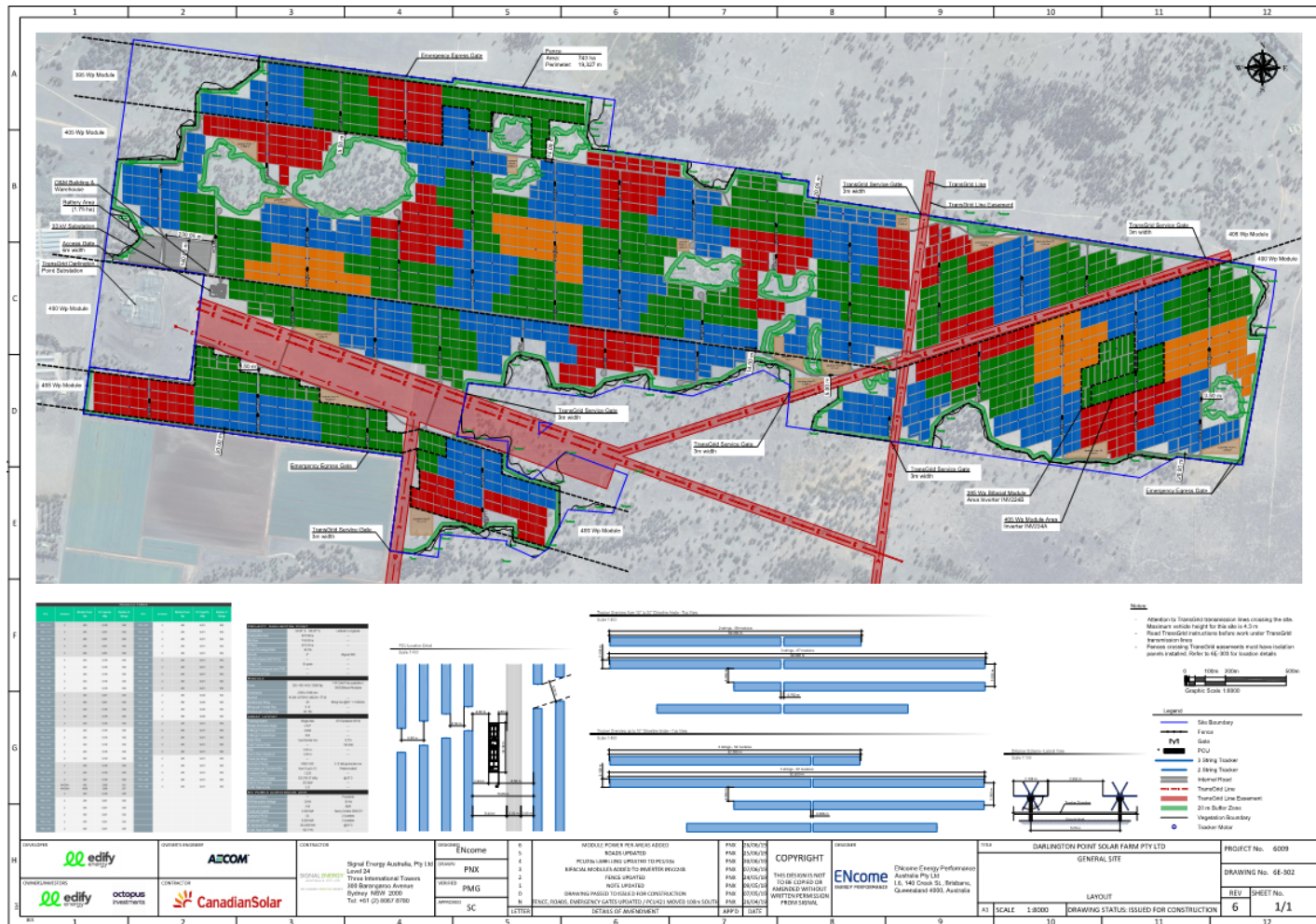
The names and contact details of key site personnel are detailed in **Table 1**.

Table 1: Contact details of key site personnel

Name	Position	Phone	Email
Chris Eccles	Signal Energy Project Manager	0488 262 129	chris.eccles@signalenergy.com
Chris Stewart	Signal Energy SHEQ Manager	0448 611 785	chris.stewart@signalenergy.com
Bevan Cassells	DPSF Construction Manager	0448 338 807	Bevan.cassells@signalenergy.com
Philip Jacka	DPSF SHEQ Manager	0432 237 469	Philip.jacka@signalenergy.com
Colin Stacey	Site Permits and HSE Manager	0457 075 056	colin.stacey@signalenergy.com
Brad Deane	DPSF Environmental Representative	0411 293 242	bdeane@kleinfelder.com

The project footprint of the DPSF is shown in **Figure 2**.

Figure 2: Development Footprint.



3. Compliance Summary

An assessment of actions required during construction under the SSD 8392 COA was undertaken in accordance with Section 2 of *Compliance Reporting: Post Approval Requirements* (NSW DPE, 2018). The results of this assessment are detailed in **Table 2** below. Details of any non-compliances (where applicable) are recorded in **Section 3.1**.

It should be noted that construction, beyond maintenance and rehabilitation works, at the DPSF is now complete. As such, some controls applied during construction to prevent impacts to the surrounding environment are no longer required onsite.

Table 2: Compliance Summary

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
2	1	2_A1	Minimise Harm	In meeting the specific environmental performance criteria established under this consent, the Applicant must implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation, upgrading or decommissioning of the development.	At all times	Not Triggered	Environmental Management Strategy (EMS). Construction Environmental Management Plan (CEMP). Biodiversity Management Plan (BMP) Traffic Management Plan (TMP) Accommodation and Employment Strategy (AES). Chance Find Protocol (CFP).	Monitoring of environmental conditions to be undertaken as outlined under the EMS and CEMP.	All management plans stored on the online Lucidity Management System.
2	2	2_B1	Terms of Consent	The Applicant must carry out the development: (a) generally in accordance with the EIS; and	At all times	Compliant	EMS, CEMP, BMP, TMP, AES and CFP.	Development of CEMP outlining commitments listed under the EIS. The CEMP is utilised by the site Environmental Representative during management of DPSF.	All management plans stored on the online Lucidity Management System.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
2	2	2_B2	Terms of Consent	The Applicant must carry out the development: (b) in accordance with the conditions of this consent.	At all times	Compliant	EMS, CEMP, BMP, TMP, AES and CFP. Independent Environmental Audit.	Development of this table outlining commitments listed under the Conditions of Consent. This register is utilised by the site Environmental Representative during management of DPSF. Independent Compliance Audit undertaken in September 2019. Bi-annual compliance reporting submitted to DPIE.	Compliance register. Compliance Audits. Compliance Reporting.
2	3	2_C1	Terms of Consent	If there is any inconsistency between the above documents, the most recent document must prevail to the extent of the inconsistency. However, the conditions of this consent must prevail to the extent of any inconsistency.	At all times	Not Triggered	All management plans.	Version control on all documents maintained in Lucidity Software.	Lucidity Software / Procore
2	4	2_D1	Terms of Consent	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of: (a) any strategies, plans or correspondence that are submitted in accordance with this consent;	At all times	Compliant	EMS, CEMP, BMP, TMP, AES and CFP. Emergency Plan.	Plans to be updated as required.	All plans required under project conditions of consent endorsed by relevant authority.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
2	4	2_D2	Terms of Consent	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of: (b) any reports, reviews or audits commissioned by the Department regarding compliance with this consent; and	At all times	Compliant	EMS, CEMP, BMP, TMP, AES and CFP.	6 month independent audit completed by Echo Consultants. Signal Energy undertaken works to correct non-compliances identified under the independent audit.	Audit results. Signal Energy response letter.
2	4	2_D3	Terms of Consent	The Applicant must comply with any requirement/s of the Secretary arising from the Department's assessment of: (c) the implementation of any actions or measures contained in these documents.	At all times	Compliant	Section 10.8 of Environmental Management Strategy (EMS). Biodiversity Management Plan (BMP).	Signal Energy undertaken works to correct non-compliances identified under the independent audit.	Signal Energy response letter. Emails / letters to be prepared following action specified by Secretary to demonstrate completion.
2	5	2_E1	Staging	The Applicant may construct, operate and decommission the development in stages. Where staging of the development is proposed, the conditions of this consent are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).	At all times	Compliant	Has been constructed in two (informal) stages with all management plans applicable throughout the duration of construction.	NA	NA
2	8	2_H1	Work as executed plans	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.	At all times	Not Triggered	NA	NA	NA

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
2	9	2_I1	Notification of Department	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. 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.	At all times	Compliant	Notification sent to DPE on 20 March 2019, prior to construction	NA	Letter sent to DPE 20 March 2019.
2	10	2_J1	Structural adequacy	The Applicant must ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the Building Code of Australia. <i>Notes:</i> · Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works. · Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.	At all times	Compliant	Construction to occur as per approved plans.	All construction to be approved by Principal Certifying Authority (PCA), Murrumbidgee Council.	PCA Sign Off
2	11	2_K1	Demolition	The Applicant must ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: <i>The Demolition of Structures</i> , or its latest version.	At all times	Not Triggered	NA	NA	NA
2	12	2_L1	Protection of Public Infrastructure	Unless the Applicant and the applicable authority agree otherwise, the Applicant must: (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and 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.	At all times	Not Triggered	NA	NA	NA

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
2	12	2_L2	Protection of Public Infrastructure	<p>Unless the Applicant and the applicable authority agree otherwise, the Applicant must:</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>	At all times	Not Triggered	NA	NA	NA
2	13	2_M1	Operation of Plant and Equipment	<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>	At all times	Compliant	<p>Induction</p> <p>Vehicle Inspection</p> <p>Traffic Management Plan</p>	<p>Plant and Vehicle Checklist.</p> <p>Pre-start checks.</p> <p>Work activity assessments.</p>	Results of checks documented and recorded in online form on Lucidity.
2	13	2_M2	Operation of Plant and Equipment	<p>The Applicant must ensure that all plant and equipment used on site, or in connection with the development, is:</p> <p>(b) operated in a proper and efficient manner.</p>	At all times	Compliant	Drivers code of conduct	Site internal audits	<p>Site internal audits.</p> <p>Details of plant / equipment recorded in online form on Lucidity.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	1	3_A1	Over-Dimensional and Heavy Vehicle Restrictions	<p>The Applicant must ensure that the:</p> <ul style="list-style-type: none"> (a) development does not generate more than: <ul style="list-style-type: none"> o 80 heavy vehicle movements a day during construction, upgrading or decommissioning; o 15 over-dimensional vehicle movements during construction, upgrading or decommissioning; and o 10 heavy vehicle movements a day during operations; on the public road network; and <p>Consent given on 28/6/19 for an increase of heavy vehicle movements to 110 vehicle movements for a period of 8 weeks.</p>	At all times	Compliant	Section 9.1 of Traffic Management Plan	Traffic personnel at site entrance monitor vehicle movements	Online log of vehicle movements maintained. Consent given on 28/6/19 for temporary increase in allowable heavy vehicle movements to 110 vehicle movements for an 8 week period.
3	1	3_A2	Over-Dimensional and Heavy Vehicle Restrictions	<p>The Applicant must ensure that the:</p> <ul style="list-style-type: none"> (b) length of any vehicles (excluding over-dimensional vehicles) used for the development does not exceed 26 metres unless the Secretary agrees otherwise. 	At all times	Compliant	Section 9.1 of Traffic Management Plan	Traffic personnel at site entrance monitor vehicle movements	Procore log of vehicle movements maintained. Security log at site entrance tracking HV movement.
3	2	3_B1	Over-Dimensional and Heavy Vehicle Restrictions	<p>The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering and leaving the site each day.</p>	At all times	Compliant	Sections 9.1 and 9.7 of Traffic Management Plan	Traffic personnel at site entrance monitor vehicle movements	Procore log of vehicle movements maintained. Security log at site entrance tracking HV movements.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	3	3_C1	Designated Over-Dimensional and Heavy Vehicle Access Route	<p>All over-dimensional and heavy vehicles associated with the development must travel to and from the site via the Sturt Highway, Donald Ross Drive and the approved site access point (shown in Appendix 1).</p> <p><i>Note: The Applicant is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.</i></p>	At all times	Compliant	<p>Sections 9.1 and 9.5 of Traffic Management Plan</p> <p>Haulage routes outlined in the site induction.</p> <p>Nil permits for over dimensional vehicles required during construction.</p>	Traffic personnel at site entrance monitor vehicle movements	<p>PDF supplied to delivery suppliers.</p> <p>Site Induction</p>
3	5	3_E1	Operating Conditions	<p>The Applicant must ensure:</p> <p>(a) the internal roads are constructed as all-weather roads;</p>	During construction	Compliant	Section 9.5 of Traffic Management Plan	Roads constructed as per conditions	Road condition.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	5	3_E2	Operating Conditions	The Applicant must ensure: (b) there is sufficient parking on site for all vehicles, and no parking occurs on the public road network in the vicinity of the site;	During construction	Compliant	Section 9.5 of Traffic Management Plan	Visual cues	Specific contractor parking onsite Utilisation of a shuttle and bus service during construction – no longer required due to low number of personnel remaining onsite (less than 20). No vehicles to be parked in road reserve of Donald Ross Drive (unless required for site works near road and traffic control in place).
3	5	3_E3	Operating Conditions	The Applicant must ensure: (c) the capacity of the existing roadside drainage network is not reduced;	During construction	Compliant	Section 9.5 of Traffic Management Plan	Drainage monitored at access intersection following periods of heavy rainfall.	Murrumbidgee Council sign-off on construction of intersection (email dated 09/05/2019).
3	5	3_E4	Operating Conditions	The Applicant must ensure: (d) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and	At all times	Compliant	Section 9.5 of Traffic Management Plan	Single access location monitored by security personnel.	Driver records. Security observations.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	5	3_E5	Operating Conditions	The Applicant must ensure: (e) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.	At all times	Compliant	Section 9.5 of Traffic Management Plan	Monitoring of road condition.	Photographs. Shaker grid and sealed entrance to site. Shaker grid has been removed as construction concludes, with a street sweeper to be utilised if required.
3	6	3_F1	Unformed Crown Roads	The Applicant must ensure any unformed Crown road reserves affected by the development are maintained for future use, unless otherwise agreed with DoI – L&W.	During construction	Not Triggered	Section 9.5 of Traffic Management Plan	NA	NA
3	8	3_H1	Land Management	Following any construction or upgrading on the site, the Applicant must: a) restore the ground cover of the site as soon as practicable;	During construction	Compliant	Section 7 of Biodiversity Management Plan (BMP). Rehabilitation Strategy under CEMP.	Monthly biodiversity monitoring. Quarterly grassland monitoring. Rehabilitation Monitoring (TBC).	Monthly biodiversity monitoring reports. Rehabilitation Strategy under CEMP. To be completed in areas as required post commissioning
3	8	3_H2	Land Management	Following any construction or upgrading on the site, the Applicant must: b) maintain the ground cover with appropriate perennial species; and	During construction	Not Triggered	Section 7 of Biodiversity Management Plan (BMP). Rehabilitation Strategy under CEMP.	Monthly biodiversity monitoring. Quarterly grassland monitoring. Rehabilitation Monitoring (TBC).	Monthly biodiversity monitoring reports. Quarterly grassland monitoring. Kleinfelder weed spraying.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	8	3_H3	Land Management	Following any construction or upgrading on the site, the Applicant must: c) manage weeds within this ground cover.	During construction	Compliant	Section 7 of Biodiversity Management Plan (BMP) CEMP	Monthly biodiversity monitoring. Quarterly grassland monitoring.	Monthly and quarterly monitoring reports. Weed Management undertaken September 2019 and June 2020.
3	13	3_M1	Hours	Unless the Secretary agrees otherwise, the Applicant may only undertake construction, upgrading or decommissioning activities on site between: a) 7 am to 6 pm Monday to Friday; b) 8 am to 1 pm Saturdays; and c) at no time on Sundays and NSW public holidays. Modified to 7 am to 6 pm all days with the exception of Public Holidays	At all times	Compliant	Section 9.6 of the Environmental Management Strategy, which requires the preparation of a Construction Noise and Vibration Management Plan (CNVMP) under the CEMP.	Site sign in and out at site shed.	Sign in and out sheet recording times personnel are onsite. Letter of approval for hours change sent to Edify Energy by DPIE, dated 17 December 2018.
3	13	3_N1	Hours	The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary: <ul style="list-style-type: none"> the delivery of materials as requested by the NSW Police Force or other authorities for safety reasons; or emergency work to avoid the loss of life, property and/or material harm to the environment. 	At all times	Not Triggered	Section 9.6 of the Environmental Management Strategy, which requires the preparation of a Construction Noise and Vibration Management Plan (CNVMP) under the CEMP.	Incident recording	Lucidity Management System.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	14	3_O1	Noise	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.	At all times	Compliant	Section 9.6 of the Environmental Management Strategy, Construction Noise and Vibration Management Plan (CNVMP) under the CEMP.	Consultation records in Lucidity addressing complaints with regards to noise. Website invites feedback.	CEMP, including CNVMP.
3	15	3_P1	Dust	The Applicant must minimise the dust generated by the development.	At all times	Compliant	Construction Environmental Management Plan (CEMP)	Visual cues	Use of a water cart onsite during dry conditions during construction. Water cart numbers increased onsite following independent environmental audit.
3	16	3_Q1	Visual	The Applicant must: (a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels;	At all times	Compliant	Construction planning.	Visual cues.	Visual inspections.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	16	3_Q1	Visual	The Applicant must: (b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and	At all times	Compliant	Construction Plans	NA	Construction as per executed plans.
3	16	3_Q1	Visual	The Applicant must: (c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.	At all times	Compliant	Conditions of consent.	Visual cues.	Visual inspections.
3	17	3_R1	Lighting	The Applicant must: (a) minimise the off-site lighting impacts of the development; and	At all times	Compliant	Construction planning. No night work undertaken.	Visual cues.	Visual inspections. Lighting at night limited to that required for site security.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	17	3_R2	Lighting	<p>The Applicant must:</p> <ul style="list-style-type: none"> (b) ensure that any external lighting associated with the development: <ul style="list-style-type: none"> o is installed as low intensity lighting (except where required for safety or emergency purposes); o does not shine above the horizontal; and o complies with <i>Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version. 	During construction	Compliant.	Conditions of consent.	Visual cues.	Visual inspections. Noted as a potential non-compliance under independent environmental audit. Signal Energy response letter prepared to demonstrate compliance.
3	19	3_T1	Discovery of Human Remains	If human remains are discovered on site, then all work surrounding the area must cease, and the area must be secured. The Applicant must notify the NSW Police and OEH as soon as possible following the discovery, and work must not recommence in the area until this is authorised by OEH.	At all times	Not Triggered	Chance Finds Protocol (CFP)	Recorded as required.	If encountered, summary of findings and actions applied will be provided in letter format.
3	21	3_V1	Water Pollution	The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.	At all times	Compliant	CEMP, including Soil and Water Management Plan (SWMP).	Visual inspections.	Flat site precludes run-off with ESC applied as required. Roadside drainage at site entrance drains towards local dam within the DPSF boundary.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	22	3_W1	Operating Conditions	<p>The Applicant must:</p> <p>(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;</p>	At all times	Compliant	CEMP, including Soil and Water Management Plan (SWMP).	Visual inspections.	<p>Flat site precludes run-off with ESC applied as required.</p> <p>ESC applied at site entry as only location with potential run-off offsite.</p> <p>Roadside drainage at site entrance drains towards local dam within the DPSF boundary.</p> <p>Conclusion of construction has resulted in re-growing of vegetation within the project footprint.</p>
3	22	3_W2	Operating Conditions	<p>The Applicant must:</p> <p>(b) ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and</p>	At all times	Compliant	<p>Site geotechnical inspections</p> <p>Independent Environmental Audit and Signal Energy response letter.</p>	Monthly biodiversity monitoring.	<p>Dispersive clay soils noted onsite. Pile design verified to sufficient depth so as to prevent impacts from reactive topsoil.</p> <p>Increase in contractors to limit time soils are exposed for trenching (following independent audit).</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	22	3_W3	Operating Conditions	The Applicant must: (c) implement appropriate flood management practices to ensure post-development flows from the site are limited to pre-development flows for all storms up to and including the 90-year Average Recurrence Interval event.	At all times	Compliant	Construction as per flood study	Continual review before and after rain events.	No issues to date.
3	23	3_X1	Hazards - operating conditions	The Applicant must: (a) minimise the fire risks of the development;	At all times	Compliant	Section 7 of Biodiversity Management Plan (BMP). Construction Environmental Management Plan (CEMP), including bushfire mitigation measures. 20,000L water tank supplied onsite.	10m defendable space to be provided between array and retained vegetation.	Grasslands monitored via routine inspections. Construction Environmental Management Plan (CEMP), including bushfire mitigation measures.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	23	3_X2	Hazards - operating conditions	<p>The Applicant must:</p> <ul style="list-style-type: none"> (b) ensure that the development: <ul style="list-style-type: none"> includes at least a 10 metre defendable space around the perimeter of the solar array area that permits unobstructed vehicle access; manages the defendable space and solar array area as an Asset Protection Zone; 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>; 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; 	At all times	Compliant	<p>Section 7 of Biodiversity Management Plan (BMP).</p> <p>Construction Environmental Management Plan (CEMP), including bushfire mitigation measures.</p>	Ongoing compliance will be maintained through the Preparation of a Bushfire Management Plan.	<p>Site photographs.</p> <p>Final design includes fire breaks.</p> <p>Storz valve fitted to 20,000 L tank adjacent to construction compound.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	23	3_X3	Hazards - operating conditions	<p>The Applicant must:</p> <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>	At all times	Compliant	<p>Section 7 of Biodiversity Management Plan (BMP).</p> <p>Construction Environmental Management Plan (CEMP), including bushfire mitigation measures.</p>	NA	Bushfire management training undertaken by selected Signal personnel.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	23	3_X4	Hazards - operating conditions	<p>The Applicant must:</p> <p>(d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations.</p>	During construction	Not Triggered	Section 7 of Biodiversity Management Plan (BMP)	NA	NA
3	24	3_Y1	Fire Safety Study	<p>At least one month prior to the construction of the battery storage facility (excluding pre-construction minor works), unless otherwise agreed by the Secretary, the Applicant must prepare a Fire Safety Study of the development, to the satisfaction of the Secretary. The study must be consistent with the:</p> <p>(a) Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study' guideline; and</p> <p><i>Construction of the battery storage facility, other than pre-construction minor works, must not commence until the Secretary has approved the Fire Safety Study.</i></p>	During construction	Not Triggered	NA	NA	NA

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	24	3_Y2	Fire Safety Study	<p>At least one month prior to the construction of the battery storage facility (excluding pre-construction minor works), unless otherwise agreed by the Secretary, the Applicant must prepare a Fire Safety Study of the development, to the satisfaction of the Secretary. The study must be consistent with the:</p> <p>(b) New South Wales Government's <i>Best Practice Guidelines for Contaminated Water Retention and Treatment Systems</i>.</p> <p><i>Construction of the battery storage facility, other than pre-construction minor works, must not commence until the Secretary has approved the Fire Safety Study.</i></p>	During construction	Not Triggered	NA	NA	NA
3	25	3_Z1	Storage and Handling of Dangerous Materials	<p>The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:</p> <p>(a) the requirements of all relevant Australian Standards; and</p> <p><i>In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.</i></p>	At all times	Compliant	<p>CEMP, including Soil and Water Management Plan (SWMP). Independent environmental audit and Signal Energy response.</p>	Routine inspections by SHEQ staff and Environmental Representative	<p>Lucidity Management System used to identify hazards and actions. Photographs Review and update of SDS register and storage undertaken following independent environmental audit.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	25	3_Z2	Storage and Handling of Dangerous Materials	<p>The Applicant must store and handle all chemicals, fuels and oils used on-site in accordance with:</p> <p>(b) the NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids.</p> <p><i>In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.</i></p>	At all times	Compliant	CEMP, including Soil and Water Management Plan (SWMP).	Routine inspections by SHEQ staff and Environmental Representative	<p>Lucidity Management System used to identify hazards and actions.</p> <p>Photographs</p>
3	27	3_AB1	Waste	<p>The Applicant must:</p> <p>(a) minimise the waste generated by the development;</p>	At all times	Compliant	<p>CEMP, including Waste Management Plan (WMP).</p> <p>Waste separated by non-putrescible (construction), office / food, and recycling waste.</p>	Visual inspections by SHEQ personnel.	<p>Non-conformances to be logged on Lucidity for immediate action.</p> <p>Construction waste has been removed from site. Additional waste, where found, will be removed from the DPSF upon identification.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	27	3_AB2	Waste	The Applicant must: (b) classify all waste generated on site in accordance with the EPA's <i>Waste Classification Guidelines 2014</i> (or its latest version);	At all times	Compliant	CEMP, including Waste Management Plan (WMP). During construction waste was managed by Nilsen and the following contractors: <ul style="list-style-type: none"> Country Waste Services – Cardboard and general waste. Yenda – septic. 	Visual inspections by SHEQ personnel.	Non-conformances to be logged on Lucidity for immediate action.
3	27	3_AB3	Waste	The Applicant must: (c) store and handle all waste on site in accordance with its classification;	At all times	Compliant	CEMP, including Waste Management Plan (WMP). Waste separated by non-putrescible (construction), office / food, and recycling waste.	Visual inspections by SHEQ personnel.	Non-conformances to be logged on Lucidity for immediate action.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
3	27	3_AB4	Waste	The Applicant must: (d) not receive or dispose of any waste on site; and	At all times	Compliant	CEMP, including Waste Management Plan (WMP). No waste from offsite premises to enter site.	Plant and Vehicle Checklist. Pre-start checks. Work activity assessments.	Results of checks documented.
3	27	3_AB5	Waste	The Applicant must: (e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal.	At all times	Compliant	CEMP, including Waste Management Plan (WMP).	Visual inspections by SHEQ personnel.	Waste centre receipts.
4	2	4_B1	Revision of Strategies, Plan and Programs	The Applicant must: (a) update the strategies, plans or programs required under this consent to the satisfaction of the Secretary prior to carrying out any upgrading or decommissioning activities on site; and	At all times	Not Triggered	Section 10 of Biodiversity Management Plan (BMP) Section 2.6 of Environmental Management Strategy	NA	NA

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	2	4_B2	Revision of Strategies, Plan and Programs	<p>The Applicant must:</p> <ul style="list-style-type: none"> (b) review and, if necessary, revise the strategies, plans or programs required under this consent to the satisfaction of the Secretary within 1 month of the: <ul style="list-style-type: none"> o submission of an incident report under condition 4 of Schedule 4; o submission of an audit report under condition 6 of Schedule 4; or o any modification to the conditions of this consent. 	At all times	Compliant	Material changes to management plans made following Independent Audit. Advised by DPIE that material changes do not require secretary approval.	NA	NA

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	3	4_C1	Updating and Staging of Strategies, Plan and Programs	<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 parties referred to under the relevant condition of this consent.</p> <p><i>Notes:</i></p> <p><i>While any strategy, plan or program may be submitted on a progressive basis, the Applicant must ensure that all development being carried out on site is covered by suitable strategies, plans or programs at all times. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages, and the trigger for updating the strategy, plan or program.</i></p>	At all times	Compliant	Minor updates made to following plans following independent audit.	NA	Material changes to management plans made following Independent Audit. Advised by DPIE that material changes do not require secretary approval.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	4	4_D1	Incident Notification	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.</p> <p>Incident: <i>A set of circumstances that causes or threatens to cause material harm to the environment</i></p> <p>Material Harm: <i>Is harm that: involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)</i></p>	At all times	Compliant	Section 8 of Biodiversity Management Plan (BMP).	Incidents to be reported to site SHEQ Manager immediately.	<p>Lucidity email tracking.</p> <p>Compliance reports.</p> <p>Emails to DPIE (formerly DPE).</p>
4	5	4_E1	Non-compliance Notification	<p>The Department must be notified in writing to compliance@planning.nsw.gov.au within 7 days after the Applicant becomes aware of any non-compliance with the conditions of this consent. The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the noncompliance (if known) and what actions have been done, or will be, undertaken to address the noncompliance.</p>	At all times	Compliant	<p>Section 8.5 of Biodiversity Management Plan (BMP).</p> <p>Previous Compliance Reports prepared by Signal Energy / Kleinfelder.</p>	<p>Compliance spreadsheet is monitored during construction.</p> <p>Conditions of Consent monitored during construction.</p>	<p>Lucidity email tracking.</p> <p>Compliance reports.</p> <p>Emails to DPIE.</p>
4	6	4_F1	Compliance Reporting	<p>The Applicant must provide regular compliance reporting to the Department on the development in accordance with the relevant Compliance Reporting requirements (DPE 2018).</p>	At all times	Compliant (current – previously non-compliant)	As per COA.	As per NSW DPE <i>Compliance Reporting: Post Approval Requirements</i> (2018)	Compliance Reports

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	7	4_G1	Independent Environment Audit	<p>Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(a) be prepared in accordance with the relevant Independent Audit Post Approval requirements (DPE 2018);</p> <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. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	During construction	Compliant	<p>Independent Environmental Audit.</p> <p>Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit.</p>	Audit complete and submitted.	<p>Independent Environmental Audit.</p> <p>DPIE Response Letter.</p> <p>Signal Energy Response / Updates Letter.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	7	4_G2	Independent Environment Audit	<p>Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;</p> <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. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	During construction	Compliant	<p>Section 8.4 of Biodiversity Management Plan (BMP).</p> <p>Independent Environmental Audit.</p> <p>Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit.</p>	Audit complete.	Email and letter of endorsement.

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	7	4_G3	Independent Environment Audit	<p>Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(c) be carried out in consultation with the relevant agencies;</p> <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. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	During construction	Compliant	Independent Environmental Audit.	Audit complete and recommendations applied.	<p>Appendix B of Independent Environmental Audit.</p> <p>Signal Energy Response / Updates Letter.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	7	4_G4	Independent Environment Audit	<p>Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(d) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and</p> <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. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	During construction	Compliant	<p>Independent Environmental Audit.</p> <p>Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit.</p>	Audit complete and submitted.	<p>Independent Environmental Audit.</p> <p>DPIE Response Letter.</p> <p>Signal Energy Response / Updates Letter.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	7	4_G5	Independent Environment Audit	<p>Within 6 months of the commencement of construction, or as directed by the Secretary, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:</p> <p>(e) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent.</p> <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. The recommendations of the Independent Environmental Audit must be implemented to the satisfaction of the Secretary.</p>	During construction	Compliant	<p>Independent Environmental Audit.</p> <p>Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit.</p>	Audit complete and submitted. Recommendations applied onsite.	<p>Independent Environmental Audit.</p> <p>DPIE Response Letter.</p> <p>Signal Energy Response / Updates Letter.</p>

Schedule	Condition No.	Unique ID	Category	Condition	Development Phase	Status	Relevant Plan / Action	Monitoring Methodology	Evidence and Comments
4	8	4_H1	Access to information	<p>The Applicant must:</p> <ul style="list-style-type: none"> (a) make the following information publicly available on its website as relevant to the stage of the development: <ul style="list-style-type: none"> o the EIS; o the final layout plans for the development; o current statutory approvals for the development; o approved strategies, plans or programs required under the conditions of this consent; o the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; o how complaints about the development can be made; o a complaints register; o compliance reports; o any independent environmental audit, and the Applicant's response to the recommendations in any audit; and o any other matter required by the Secretary; and (b) keep this information up to date. 	At all times	Non-Compliant (see Section 3.1 for more details).	Conditions of consent.	NA	See Darlington Point Solar Farm Website (https://edifyenergy.com/project/darlington-point/http://edifyenergy.com/projects/darlingtonpoint/)

3.1 Non-Compliance(s)

One non-compliance was identified during the preparation of this CR. This relates to Schedule 4, Condition 8a – Access to information (Unique ID 4H_1) under the SSD 8392 COA.

The Construction Compliance Report 2 (March 2020) has not been uploaded to the DPSF project website. This document will be uploaded to the website as soon as possible, along with this iteration of the Construction Compliance monitoring.

This CR provides DPIE notification of the non-compliance as per Schedule 4, Condition 5 of the SSD 8392 COA.

4. Independent Environment Audit

Echo Consultant were engaged to complete the Independent Environment Audit of the DPSF (under Schedule 4, Condition 6). The Independent Environment Audit identified five (5) non-compliances with the DPSF COA. These non-compliances and the relevant actions undertaken by Signal Energy were discussed under the previous Construction Compliance Report (Construction CR 2, March 2020).

5. Previous Report Action List

See **Table 3** below for a review of compliance related actions required post submission of the pre-construction CR.

Table 3: Update on compliance related actions raised under the Construction Compliance Report Two

Condition ID	Statement	Background / Action	Outcome
Schedule 4, Condition 8a – Access to information (Unique ID 4H_1)	<p>The Applicant must:</p> <p>b) make the following information publicly available on its website as relevant to the stage of the development:</p> <ul style="list-style-type: none"> the EIS; the final layout plans for the development; current statutory approvals for the development; approved strategies, plans or programs required under the conditions of this consent; the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged; how complaints about the development can be made; a complaints register; <p>compliance reports; any independent environmental audit, and the Applicant's response to the recommendations in any audit; and any other matter required by the Secretary; and...</p>	<p>Edify Energy were advised of the non-compliance and informed corrective action is required.</p> <p>Some information was not uploaded during reformatting of the website with Edify Energy informed.</p> <p>Missing information include; the Final Layout Plans, the Pre-construction Compliance Report, Construction Compliance Report One and Signal Energy's response letter summarising actions undertaken following receipt of the Independent Environmental Audit.</p>	<p>Relevant items (Pre-construction CR, Construction CR One, stamped approved layout plans and Signal Energy response letter to the Independent Environmental Audit) identified under this condition have been added to the Darlington Point Solar Farm Website.</p>

6. Summary of Incidents

No incidents (as defined under SSD 8392 COA) have occurred at the DPSF during the construction reporting period to date.

Incident reporting will occur as per Schedule 4, Condition 4 of SSD 8392. DPIE will be contacted for clarification where Signal Energy (or an authorised delegate) are uncertain as to whether an 'incident' requires notification under SSD 8392 COA.

7. Summary of Complaints

Signal Energy maintain a register of complaints on the Lucidity Incident Module. One complaint was registered on 25 March 2020, stating that they had observed DPSF buses transporting workers to site and that the bus system was not social distancing compliant under NSW restrictions during the COVID-19 pandemic. As the complainant remained anonymous, Signal Energy could not respond to the complaint directly but have detailed the complaint plus on the following information on the online DPSF Complaint Register.

- SEA have a COVID-19 Action Plan that includes a detailed Hygiene Plan.
- SEA has doubled the amount of buses so there is only 1 person for every 2 seats.
- SEA have also spaced our buses when arriving to site, so that we can easier trace if or when we have a confirmed case.
- All buses are thoroughly cleaned including disinfection of all hard surfaces after every bus trip.
- SEA put out daily communications about COVID-19 and the project control method.

8. Declaration

See **Attachment 1** for the signed declaration form for this assessment.

Attachment 1: Compliance Report Declaration Form

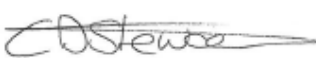
Project Name	Darlington Point Solar
Project Application Number	SSD 8392
Description of project	Construction of 275 MW Solar Farm.
Project Address	Lots 1, 2, and 4 Deposited Plan (DP) 1249830, Donald Ross Drive, Darlington Point NSW 2706.
Proponent	Edify Energy Pty Ltd
Title of Compliance Report	Construction Compliance Report One
Date	22/09/2020

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

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

Notes:

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

Name of Authorised Reporting Officer	Christopher Stewart
Title	National SHEQ Manager
Signature	
Qualification	Bachelor of Environmental Science

Company	Signal Energy Australia Pty Ltd
Company Address	Level 24, Three International Towers, 300 Barangaroo Avenue, Sydney NSW 2000