

CONSTRUCTION COMPLIANCE REPORT FIVE

Darlington Point Solar Farm

Amendment Record

| Version | Date | Description | Approved by |
|---------|------------|--|----------------------------------|
| 1 | 05/11/2021 | Construction Compliance Report for the Darlington Point Solar Farm | Chris Stewart (Signal Energy) |

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1. Key Acronyms and Abbreviations

| Acronym or Abbreviation | Meaning |
|-------------------------|--|
| AC | Alternating Current |
| BCS | Biodiversity, Conservation and Science Directorate within the Department of Planning, Industry and Environment |
| BESS | Battery Energy Storage System |
| CR | Compliance Report |
| COA | Conditions of Approval |
| DPE | NSW Department of Planning and Environment |
| DPIE | NSW Department of Planning, Industry and Environment |
| DPSF | Darlington Point Solar Farm |
| PAR 2018 | <i>Compliance Reporting: Post Approval Requirements (DPE)</i> |
| PAR 2020 | <i>Compliance Reporting: Post Approval Requirements (DPIE)</i> |
| PV | Photovoltaic |
| DC | Direct Current |
| DP | Deposited Plan |
| TfNSW | Transport for NSW |

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). It is noted that Modification 1 of SSD 8392 (SSD-8392-MOD-1), relating to the increasing the Battery Energy Storage System (BESS) capacity from 50 MW / 100 MW-hours to 200 MW / 400 MW-hours, was approved on 22 October 2021. As such, the NSW Department of Planning, Industry and Environment (DPIE) provided a consolidated consent for SSD 8392 and SSD-8392-MOD-1, which will be referred to under this CR where relevant. Signal Energy are not involved in the construction of the BESS, which has not commenced. As such, conditions relating specifically to the BESS are not included in this CR.

Schedule 4, Condition 6 of SSD-8392-MOD-1 COA states the following:

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

The document *Compliance Reporting: Post Approval Requirements (PAR)* 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).

The 2018 DPE *Compliance Reporting: Post Approval Requirements* was superseded in May 2020 by DPIE (PAR 2020), however, as stated under Schedule 4, Condition 6 of SSD-8392-MOD-1, the DPSF remains obligated to provide compliance reporting in accordance with PAR 2018.

This CR constitutes the fifth construction CR for the Darlington Point Solar Farm (DPSF), outlining compliance with SSD 8392 COA. This is the first version to include provisions under SSD-8392-MOD-1. Construction of the DPSF commenced on Friday 22 March 2019, as such this CR provides for compliance between 22 March 2021 and the publication of this document.

It is noted that under PAR 2018 submission of each construction CR is to occur at intervals no longer than 26 weeks. This construction CR is therefore being submitted late due to administration difficulties and additional difficulties raised by the reintroduction of strict COVID-19 lockdown measures in late June 2021 to early July 2021. This non-compliance is noted in **Section 3.1** of this CR.

2.1 Project Background

The DPSF, a State Significant Development (SSD) 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.

Figure 1 below illustrates the location of the DPSF.

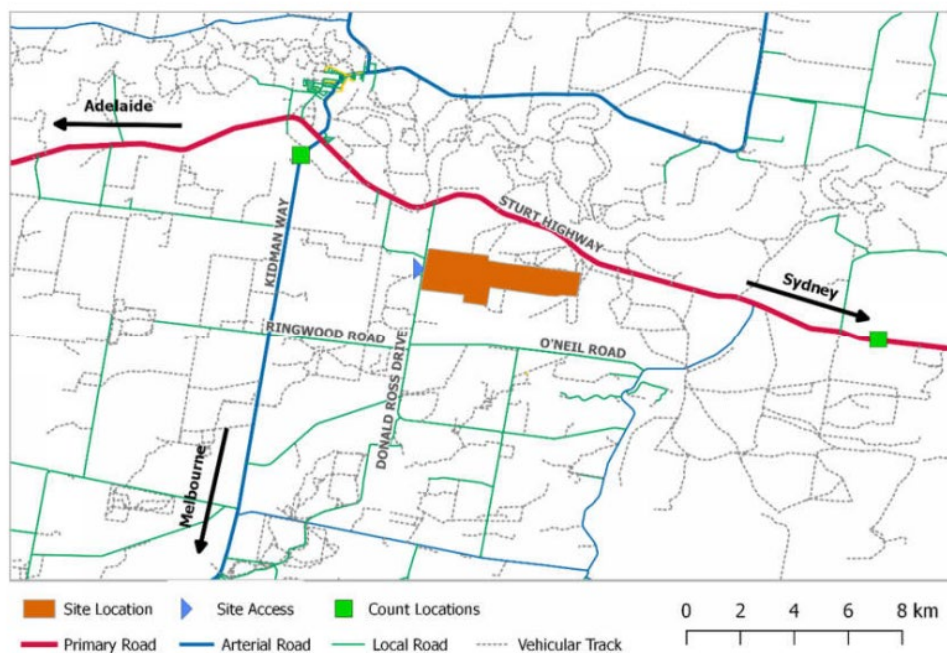


Figure 1: Site Location

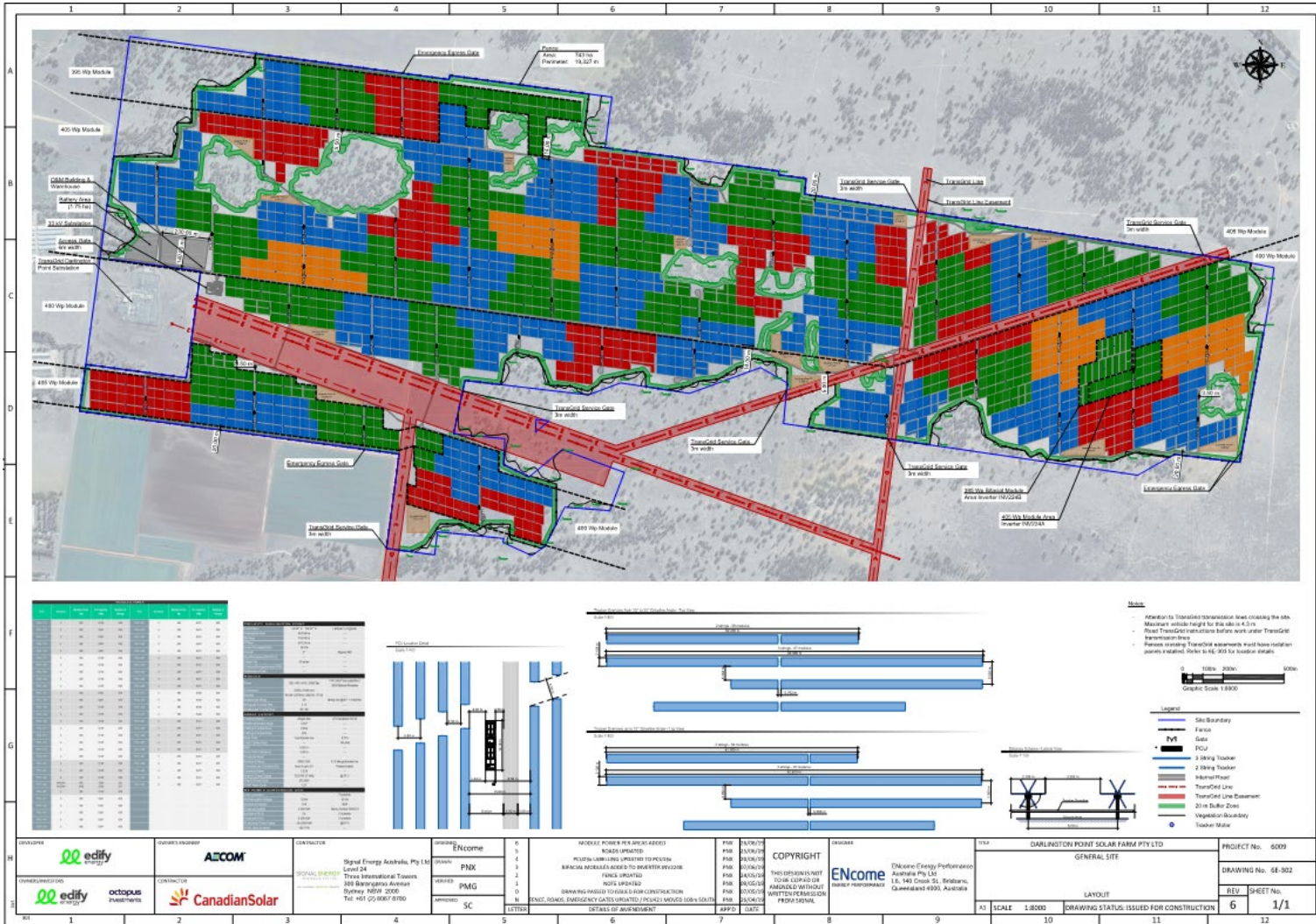
The names and contact details of key site personnel are detailed in **Table 1**.

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 |

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-MOD-1 COA was undertaken in accordance with Section 2 of PAR 2018. The results of this assessment are detailed in **Table 2** below. Updates provided by DPIE in SSD-8392-MOD-1 are provided in red for reference. As previously stated, Signal Energy are not involved in the construction of the BESS, which has not commenced. As such, conditions relating specifically to the BESS are not included in this CR.

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 undertaken as outlined under relevant management plans. | All management plans stored on the online Lucidity Management System. Applicable monitoring reports are stored on the 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. Regular monitoring undertaken in accordance with approved Management Plans. | 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 |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|------------------|---|-------------------|-----------|---|---|--|
| 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. |
| 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 |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------------------------|--|-------------------|---------------|--|--|-----------------------------------|
| 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 |
| 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 |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|-------------------------------------|---|-------------------|---------------|--|---|--|
| 2 | 12 | 2_L1 | Protection of Public Infrastructure | <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>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 | 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 | Induction Vehicle Inspection Traffic Management Plan | Plant and Vehicle Checklist. Pre-start checks. Work activity assessments. | 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 | Site internal audits. Details of plant / equipment recorded in online form on Lucidity. |

| 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 | <p>Previous: Traffic personnel at site entrance monitor vehicle movements.</p> <p>Current: Deliveries and site personnel report to Signal Energy / Canadian Solar for sign on and off to site, unless using email system stated below. Current vehicle numbers far below restrictions with heavy vehicle access limited to isolated occurrences. Subconsultants email daily sign-on sheet to Signal Energy for upload to Procure Management System.</p> | <p>Online log of vehicle movements maintained.</p> <p>Consent given on 28/6/19 for temporary increase in allowable heavy vehicle movements to 110 vehicle movements for an 8 week period.</p> |
| 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 | <p>Traffic personnel at site entrance monitor vehicle movements during peak construction. Signal Management personal now manage access and egress due to low number of personnel onsite.</p> | <p>Procure log of vehicle movements maintained.</p> <p>Security log at site entrance tracking HV movement.</p> |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|--|---|---------------------|-----------|--|---|--|
| 3 | 2 | 3_B1 | Over-Dimensional and Heavy Vehicle Restrictions | The Applicant must keep accurate records of the number of over-dimensional and heavy vehicles entering and leaving the site each day. | At all times | Compliant | Sections 9.1 and 9.7 of Traffic Management Plan | Traffic personnel at site entrance monitor vehicle movements. Signal Management personal now manage access and egress due to low number of personnel onsite. | Procore log of vehicle movements maintained. Security log at site entrance tracking HV movements. |
| 3 | 3 | 3_C1 | Designated Over-Dimensional and Heavy Vehicle Access Route | 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). <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> | At all times | Compliant | Sections 9.1 and 9.5 of Traffic Management Plan Haulage routes outlined in the site induction. Nil permits for over dimensional vehicles required during construction. | Traffic personnel at site entrance monitor vehicle movements Signal Management personal now manage access and egress due to low number of personnel onsite. | PDF supplied to delivery suppliers. Site Induction. |
| 3 | 5 | 3_E1 | Operating Conditions | The Applicant must ensure: (a) the internal roads are constructed as all-weather roads; | 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 25). 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 site management. | Driver records. Security observations. |
| 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. Monitoring reports. | Photographs. Monitoring Reports. Shaker grid and sealed entrance to site. Shaker grid has been removed as construction concludes, with a street sweeper to be utilised if required. |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------------------|--|---------------------|---------------|---|---|--|
| 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 DPIE Crown Lands . | 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. | Monthly biodiversity monitoring reports. Rehabilitation Strategy under CEMP. Quarterly Grassland Reports. Rehabilitation ongoing onsite. |
| 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 | Compliant | Section 7 of Biodiversity Management Plan (BMP). Rehabilitation Strategy under CEMP. | Monthly biodiversity monitoring. Quarterly grassland monitoring. | Monthly biodiversity monitoring reports. Quarterly grassland monitoring. Kleinfelder weed spraying. Rehabilitation ongoing onsite. Mowing records. |
| 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. Mowing of grasslands being undertaken on a regular basis. |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------------------|---|--|-----------------------------------|--|------------------------------------|---|
| 3 | 9 | 3I_1 | Biodiversity Offsets | Within two years of commencing construction under this consent, unless the Secretary agrees otherwise, the Applicant must retire biodiversity credits of a number and class specified in Column (a) in Table 1 below, to the satisfaction of BCS . See Conditions of Consent for SSD-8392-MOD-1 for table. | During construction / operation, where relevant. | Compliant (not triggered to date) | Section 7.2 of Biodiversity Management Plan. | Undertaken by Octopus Investments. | Extension granted by DPIE via letter (dated 29 September 2021) until 29 April 2022. |
| 3 | 10 | 3J_1 | Biodiversity Offset | The retirement of credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: a) acquiring or retiring 'biodiversity credits' within the meaning of the Biodiversity Conservation Act 2016; | During construction / operation, where relevant. | Compliant (not triggered to date) | Section 7.2 of Biodiversity Management Plan. | Undertaken by Octopus Investments. | Extension granted by DPIE via letter (dated 29 September 2021) until 29 April 2022. |
| 3 | 10 | 3J_1 | Biodiversity Offset | The retirement of credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: b) making payments into an offset fund that has been developed by the NSW Government; or | During construction / operation, where relevant. | Compliant (not triggered to date) | Section 7.2 of Biodiversity Management Plan. | Undertaken by Octopus Investments. | Extension granted by DPIE via letter (dated 29 September 2021) until 29 April 2022. |
| 3 | 10 | 3J_1 | Biodiversity Offset | The retirement of credits must be carried out in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i> and can be achieved by: c) providing supplementary measures. | During construction / operation, where relevant. | Compliant (not triggered to date) | Section 7.2 of Biodiversity Management Plan. | Undertaken by Octopus Investments. | Extension granted by DPIE via letter (dated 29 September 2021) until 29 April 2022. |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------|---|-------------------|---------------|--|---|---|
| 3 | 13 | 3_M1 | Hours | <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>Modified to 7 am to 6 pm all days with the exception of Public Holidays</p> | 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 | <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"> 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. |
| 3 | 14 | 3_O1 | Noise | <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> | 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. No noise related complaints on register (see DPSF website). |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------|--|-------------------|-----------|---|------------------------|---|
| 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 | Water cart numbers increased onsite following independent environmental audit. Restoration of groundcover and completion of the majority of earthworks (beyond minor maintenance and rehabilitation) limits water carts to an 'as needs' basis. Groundcover covers approximately 90% of previously disturbed areas, with little dust generation onsite. |
| 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. Regular mowing keeps site in good condition with Canadian Solar to take over maintenance of the site. |

| 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 | <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 Heritage NSW as soon as possible following the discovery, and work must not recommence in the area until this is authorised by Heritage NSW.</p> | 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 | <p>The Applicant must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.</p> | 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 | Site geotechnical inspections Independent Environmental Audit and Signal Energy response letter. | 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 | <p>The Applicant must:</p> <p>(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.</p> | 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 | <p>The Applicant must:</p> <p>(a) minimise the fire risks of the development;</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> <p>20,000L water tank supplied onsite.</p> | 10m defendable space to be provided between array and retained vegetation. | <p>Grasslands monitored via routine inspections.</p> <p>Construction Environmental Management Plan (CEMP), including bushfire mitigation measures.</p> |

| 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"> o includes defensible space as outlined in the EIS that permits unobstructed vehicle access to the site; o manages the defensible space as an Asset Protection Zone; o complies with the relevant asset protection requirements in the RFS's <i>Planning for Bushfire Protection 2019</i> (or equivalent) and <i>Standards for Asset Protection Zones</i>; o 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 (See Section 3.2 for further discussion) | <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>Four 22,000 L water tanks located adjacent to site shed. All tanks pipe and connected via underground pipes to hydrant system.</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 | The Applicant must: (c) assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and | At all times | Compliant | Section 7 of Biodiversity Management Plan (BMP). Construction Environmental Management Plan (CEMP), including bushfire mitigation measures. | 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 | The Applicant must: (d) notify the relevant local emergency management committee following construction of the development, and prior to the commencement of operations. | During construction | Not Triggered | Section 7 of Biodiversity Management Plan (BMP) | NA | NA |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|-------------------|---|---------------------|--------|--|------------------------|-----------------------|
| 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, in consultation with RFS, and to the satisfaction of FRNSW and the Secretary. The study must</p> <p>(a) Be consistent with the:</p> <p>i. 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. Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.</i></p> | During construction | NA | <p>Outside Signal Energy Scope of Work.</p> <p>Construction of BESS has not commenced.</p> | 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, in consultation with RFS, and to the satisfaction of FRNSW and the Secretary. The study must</p> <p>(a) Be consistent with the:</p> <p>i. 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. Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.</i></p> | During construction | NA | <p>Outside Signal Energy Scope of Work.</p> <p>Construction of BESS has not commenced.</p> | NA | NA |
| 3 | 24 | 3_Y3 | 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, in consultation with RFS, and to the satisfaction of FRNSW and the Secretary. The study must</p> <p>ii. Describe the final design of the battery storage facility.</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. Following the Secretary's approval, the Applicant must implement the measures described in the Fire Safety Study.</i></p> | During construction | NA | <p>Outside Signal Energy Scope of Work.</p> <p>Construction of BESS has not commenced.</p> | NA | NA |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|---|---|-------------------|-----------|--|---|---|
| 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).</p> <p>Independent environmental audit and Signal Energy response.</p> <p>Remaining quantities of chemicals and fuels brought by contractors not stored onsite.</p> <p>Canadian Solar maintain hazardous materials storage area within site warehouse for operation.</p> | <p>Routine inspections by Site Management.</p> <p>Remaining quantities of chemicals and fuels brought by contractors not stored onsite.</p> | <p>Lucidity Management System used to identify hazards and actions.</p> <p>Photographs</p> <p>Review and update of SDS register and storage undertaken following independent environmental audit.</p> |
| 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 | <p>CEMP, including Soil and Water Management Plan (SWMP).</p> <p>Remaining quantities of chemicals and fuels brought by contractors not stored onsite.</p> <p>Canadian Solar maintain hazardous materials storage area within site warehouse for operation.</p> | <p>Routine inspections by Site Management.</p> <p>Remaining quantities of chemicals and fuels brought by contractors not stored onsite.</p> | <p>Lucidity Management System used to identify hazards and actions.</p> <p>Photographs</p> |

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| 3 | 26 | 3_AA1 | Emergency Plan | <p>Prior to the commissioning of development, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, in consultation with FRNSW and the RFS. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:</p> <ul style="list-style-type: none"> (a) be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent); (b) identify the risks and hazards and detailed measures for the development to prevent or mitigate fires igniting; (c) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site; (d) list works that should not be carried out during a total fire ban; (e) include availability of fire suppression equipment, access and water; (f) include procedures for the storage and maintenance of any flammable materials; (g) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency; (h) include a figure showing site infrastructure, Asset Protection Zone and the fire fighting water supply; (i) include location of hazards (physical, chemical and electrical) | Prior to commissioning | Compliant (see Section 3.3 for notes) | Available electronically and hard copy in site office (notice board during peak construction) | Comments received by NSW RFS – indicating endorsement | Available electronically and hard copy in site office (notice board during peak construction) |
|---|----|-------|----------------|---|------------------------|--|---|---|---|

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------|---|-------------------|--------|------------------------|------------------------|-----------------------|
| | | | | <p>that may impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations;</p> <p>(j) include details of the location, management and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone;</p> <p>(k) include bushfire emergency management planning;</p> <p>(l) include details of how RFS would be notified, and procedures that would be implemented in the event that:</p> <ul style="list-style-type: none"> • there is a fire on-site or in the vicinity of the site; • there are any activities on site that would have the potential to ignite surrounding vegetation; or • there are proposed activities to be carried out during a bushfire danger period; and <p>(m) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency.</p> <p>The Applicant must implement the Emergency Plan for the duration of the development.</p> | | | | | |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|----------|---|-------------------|-----------|--|--|---|
| 3 | 27 | 3_AB1 | Waste | The Applicant must: (a) minimise the waste generated by the development; | At all times | Compliant | CEMP, including Waste Management Plan (WMP). Waste separated by non-putrescible (construction), office / food, and recycling waste. | Visual inspections by Site Management. | Non-conformances to be logged on Lucidity for immediate action. Construction waste has been removed from site. Additional waste, where found, will be removed from the DPSF upon identification. |
| 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 Site Management. | 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 Site Management. | 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 Site Management. | Waste centre receipts. Site rehabilitation has included the removal of waste items accidentally left behind by construction contractors. |
| 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> <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"> ○ submission of an incident report under condition 4 of Schedule 4; ○ submission of an audit report under condition 6 of Schedule 4; or ○ any modification to the conditions of this consent. | At all times | 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> <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 Traffic Management Plan, Accommodation and Employment Strategy and Environmental Management Strategy 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 Planning Secretary must be notified in writing via the Major Projects website 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. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.</p> <p>Incident: A set of circumstances that causes or threatens to cause material harm to the environment</p> <p>Material Harm: 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</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> <p>Login to Major Projects maintained.</p> |
| 4 | 5 | 4_E1 | Non-compliance Notification | <p>The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance</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> <p>Login to Major Projects maintained.</p> |

| Schedule | Condition No. | Unique ID | Category | Condition | Development Phase | Status | Relevant Plan / Action | Monitoring Methodology | Evidence and Comments |
|----------|---------------|-----------|-----------------------------|---|-------------------|--|--|--|---|
| 4 | 5 | 4_E2 | Non-compliance Notification | A non-compliance 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, or will be, undertaken to address the non-compliance. | At all times | Compliant | Section 8.5 of Biodiversity Management Plan (BMP). Previous Compliance Reports prepared by Signal Energy / Kleinfelder. | Compliance spreadsheet is monitored during construction. Conditions of Consent monitored during construction. | Lucidity email tracking. Compliance reports. Emails to DPIE. Login to Major Projects maintained. |
| 4 | 5 | 4_E3 | Non-compliance Notification | A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance. | At all times | Compliant | Section 8.5 of Biodiversity Management Plan (BMP). Previous Compliance Reports prepared by Signal Energy / Kleinfelder. | Compliance spreadsheet is monitored during construction. Conditions of Consent monitored during construction. | Lucidity email tracking. Compliance reports. Emails to DPIE. |
| 4 | 6 | 4_F1 | Compliance Reporting | The Applicant must provide regular compliance reporting to the Department on the development, excluding the battery storage facility , in accordance with the relevant Compliance Reporting requirements (DPE 2018). | At all times | Non-compliant (delayed report) | 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>Note: Updated conditions relating to BESS facility not included. Relevant condition has not been triggered.</p> <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 | Independent Environmental Audit. Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit. | Audit complete and submitted. | Independent Environmental Audit. DPIE Response Letter. Signal Energy Response / Updates Letter. |

| 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. 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. | Appendix B of Independent Environmental Audit. Signal Energy Response / Updates Letter. |

| 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 | Independent Environmental Audit. Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit. | Audit complete and submitted. | Independent Environmental Audit. DPIE Response Letter. Signal Energy Response / Updates Letter. |

| 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 | Independent Environmental Audit. Signal Energy Response / Updates Letter prepared to provide update on actions required following the audit. | Audit complete and submitted. Recommendations applied onsite. | Independent Environmental Audit. DPIE Response Letter. Signal Energy Response / Updates Letter. |

| 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> <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"> ○ 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; ○ 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>(b) keep this information up to date.</p> | At all times | Compliant | Conditions of consent. | NA | See Darlington Point Solar Farm Website (https://edifyenergy.com/project/darlington-point/) |

3.1 Non-Compliance(s)

Non-compliances identified under this CR are discussed below.

Schedule 4, Condition 6 of SSD-8392-MOD-1 – Compliance Reporting

The first non-compliance relates to the delayed issue of this CR. CR4 was issued in March 2021 and therefore issue of this CR5 was required in September 2021 to be considered compliant with PAR 2018 and Schedule 4, Condition 6 of SSD-8392-MOD-1 (SSD-8392). This delay was due to a combination of administrative factors and the tightening of COVID-19 restrictions in the months preceding September 2021 resulting in the report being overlooked. Signal Energy have prepared this report as soon as possible following identification that it had not been completed.

This non-compliance was identified late October 2021, with this CR providing notification. It is noted this is outside the seven-day notification period under the DPSF COA.

Schedule 3, Condition 12 of SSD-8392 – Biodiversity Management Plan

The second non-compliance relates to the completion of an Annual Biodiversity Report (ABR) required under the DPSF Biodiversity Management Plan (BMP) (NGH Environmental, 2018). The DPSF BMP was prepared and approved under Schedule 3, Condition 12 of SSD-8392. Table 8-1 of the BMP states that quarterly grassland monitoring is to be undertaken to monitor grassland condition onsite. The most recent Quarterly Grassland Monitoring was delayed until 3 November 2021 due to the reasons listed above for the delayed CR. Field results for the Quarterly Grassland Survey have been compiled, with the resulting report in preparation. This is not considered a non-compliance as the BMP does not state direct dates that Quarterly Grassland Monitoring is to be undertaken, but the delay is noted. Regular site inspections were being undertaken during this time but independent monthly biodiversity reports (internal only), which had previously completed by the DPSF ER were not completed due to the above listed limitations coupled with the lack of works occurring onsite meaning that items covered under monthly inspections (Course Woody Debris, buffer between works and retained vegetation, weed and fauna occurrence – potential injury to fauna) were not as impacted during the months July – October 2021. Updated site surveys for the Biodiversity Monitoring were completed 3-4 November with the monitoring report currently in preparation. Quarterly Grassland Monitoring and monthly Biodiversity Monitoring are internal processes only, used to inform site management, with results compiled in an ABR submitted to DPIE.

The first ABR included both the 2019-2020 and 2020-2021 ABR as Signal Energy only became aware of the reporting requirement on 10 June 2021 due to ambiguous language in the BMP. Previously, Signal Energy utilised Biodiversity and Grassland Monitoring to inform site management. Signal Energy immediately queried the requirement with Katrina O'Reilly at DPIE, who noted that the missing ABR does constitute a non-compliance with the DPSF COA. This is because Signal Energy had committed to working under the BMP and were thus subject to reporting requirements outlined under the BMP. Signal Energy had been complying with monitoring requirements under the BMP and, as such, had the necessary data to complete the outstanding ABRs. As such, DPIE advised Signal Energy to include the 2019-2020 and 2020-2021 ABR in a single document. The completed ABR was dated 16 June 2021.

Schedule 3, Condition 28 of SSD-8392 – Accommodation and Employment Strategy

Section 5 of the DPSF Accommodation and Employment Strategy (AES) states that review of the success of the strategy would be included in monthly reports. During peak construction these reports were prepared using a number of factors, including discussions with subcontractor Project Managers, email dispersal and provision of an online survey. Following the departure of the majority of site workers,

the AES monitoring became less important for day to day site management, as a maximum of 20-30 staff onsite could easily be catered for by local accommodation sources and workers were sourced locally wherever possible. However, reporting continued with the provision of the online survey no longer used due to the small number of personnel onsite. The July – October 2021 survey reports were not completed due to the reasons listed above. Although, strictly speaking, this is considered a non-compliance with Schedule 3, Condition 28 of SSD-8392, it is considered that the process was still being followed informally as Signal Energy management onsite managed the small number of construction subcontractors onsite, sourced locally wherever possible. There were also times that Signal Energy was the sole company onsite.

This potential non-compliance was identified during the preparation of this CR on 3 November 2021. This CR provides notification to DPIE.

3.2 Schedule 3, Condition 23 Query - SSD 8392 and SSD-8392-MOD-1

Signal Energy are seeking clarification on Schedule 3, Condition 23 of SSD 8392 and SSD-8392-MOD-1. It is noted that the update under SSD-8392-MOD-1 states that the defensible space shall be installed as per the EIS, which via review of the DPSF EIS (ARUP, 2018), includes “*Adequate setbacks included in the design (eg 20m from fenceline before commencement of solar arrays, and 20m setback from wooded areas and ‘Vegetation and Heritage Protection Exclusion Zones’).*”

Signal Energy conducted vegetation removal, Asset Protection Zone (APZ) installation and solar farm construction as per the original SSD-8392 condition, which states that the development “*....includes at least a 10 metre defensible space around the perimeter of the solar array area that permits unobstructed vehicle access.*” This was drawn from the NSW Rural Fire Service comments on the 2018 EIS addressed to DPE (letter dated 8 June 2018). The reduction in APZ (defensible space) width was further noted under the DPE Assessment Report (2018) for SSD-8392 that “*Following a request by RFS, the Applicant has committed to managing the entire site as an Asset Protection Zone, preparing a bushfire management plan to manage risk, and has revised the project to include a 10m APZ around project infrastructure.*”

Signal Energy have thus created a 10m defensible space surrounding the solar array and query as to whether the updated SSD-8392-MOD-1 is meant to increase the solar array APZ to 20m or is meant to apply to the BESS facility only.

For reference, Chapter 8.3.5 of the NSW RFS *Planning For Bush Fire Protection 2019* states that a solar farm requires a minimum 10m APZ for structures and associated buildings / infrastructure, managed to a standard of an Inner Protection Area (IPA). Solar farm infrastructure that does not require a specific APZ includes access roads and power or other services to the site.

In light of the above, Signal Energy consider that construction still aligns to Schedule 3, Condition 23 under SSD-8392-MOD-1. Signal Energy requests that DPIE advise them if this is not true.

Table 3: Schedule 3, Condition 23 under SSD 8392 and SSD-8392-MOD-1

| SSD 8392 | SSD-8392-MOD-1 |
|---|--|
| <p>The Applicant must:</p> <ul style="list-style-type: none"> (e) ensure that the development: <ul style="list-style-type: none"> ○ includes at least a 10 metre defensible space around the perimeter of the solar array area that permits unobstructed vehicle access; ○ manages the defensible 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; | <p>The Applicant must:</p> <ul style="list-style-type: none"> (f) ensure that the development: <ul style="list-style-type: none"> ○ includes defensible space as outlined in the EIS that permits unobstructed vehicle access to the site; ○ manages the defensible space as an Asset Protection Zone; ○ complies with the relevant asset protection requirements in the RFS's <i>Planning for Bushfire Protection 2019</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; |

3.3 Schedule 3, Condition 26 Note - SSD 8392 and SSD-8392-MOD-1

Signal Energy further note that Schedule 3, Condition 26 was modified during the preparation of a consolidated consent for SSD-8392 and SSD-8392-MOD-1. Under Schedule 3, Condition 26, the proponent is required to prepare an Emergency Plan for the development. Signal Energy prepared the Emergency Plan for construction to align with the SSD-8392 approval. The current Signal Energy Emergency Plan was noted as being compliant during the Project Independent Audit by Echo Consultants Pty Ltd in September 2019.

Signal Energy will notify Edify Energy Pty Ltd (as the project proponent) that the Emergency Plan will require review and potential updates will need to be compliant with the updated Schedule 3, Condition 26.

Signal Energy do not consider the current Emergency Plan to be non-compliant due to the short timeframe between the preparation of this CR and the approval of the DPSF MOD-1.

Table 4: Schedule 3, Condition 26 under SSD 8392 and SSD-8392-MOD-1

| SSD 8392 | SSD-8392-MOD-1 |
|---|--|
| <p>Prior to the commissioning of development, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:</p> <ul style="list-style-type: none"> (a) be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'; (b) be prepared in consultation with Fire and Rescue NSW and NSW Rural Fire Service to their satisfaction; (c) identify the fire risks and controls of the development; and (d) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site. | <p>Prior to the commissioning of development, the Applicant must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, in consultation with FRNSW and the RFS. The Applicant must keep two copies of the plan on-site in a prominent position adjacent to the site entry points at all times. The plan must:</p> <ul style="list-style-type: none"> (e) be consistent with the Department of Planning's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning' and RFS's Planning for Bushfire Protection 2019 (or equivalent); (f) identify the risks and hazards and detailed measures for the development to prevent or mitigate fires igniting; (g) include procedures that would be implemented if there is a fire on-site or in the vicinity of the site; (h) list works that should not be carried out during a total fire ban; (i) include availability of fire suppression equipment, access and water; (j) include procedures for the storage and maintenance of any flammable materials; (k) detail access provisions for emergency vehicles and contact details for both a primary and alternative site contact who may be reached 24/7 in the event of an emergency; (l) include a figure showing site infrastructure, Asset Protection Zone and the fire fighting water supply; (m) include location of hazards (physical, chemical and electrical) that may impact on fire fighting operations and procedures to manage identified hazards during fire fighting operations; (n) include details of the location, management and maintenance of the Asset Protection Zone and who is responsible for the maintenance and management of the Asset Protection Zone; (o) include bushfire emergency management planning; (p) include details of how RFS would be notified, and procedures that would be implemented in the event that: <ul style="list-style-type: none"> • there is a fire on-site or in the vicinity of the site; • there are any activities on site that would have the potential to ignite surrounding vegetation; or • there are proposed activities to be carried out during a bushfire danger period; and (q) include details on how the battery storage facility and sub-systems can be safely isolated in an emergency. <p>The Applicant must implement the Emergency Plan for the duration of the development.</p> |

4. Independent Environment Audit

Echo Consultants Pty Ltd 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 Construction Compliance Report 2 (March 2020).

5. Previous Report Action List

No non-compliances were identified under the previous CR for the DPSF.

6. Summary of Incidents

No incidents (as defined under SSD-8392-MOD-1 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-MOD-1. 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-MOD-1 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 the relevant person had observed DPSF buses transporting workers to site and that the bus system was not social distancing compliant under NSW restrictions during the early COVID-19 pandemic. As the complainant remained anonymous, Signal Energy could not respond to the complaint directly but detailed the complaint plus the following information on the online DPSF Complaint Register.

- Signal Energy have a COVID-19 Action Plan that includes a detailed Hygiene Plan.
- Signal Energy has doubled the amount of buses so there is only 1 person for every 2 seats.
- Signal Energy have also spaced buses when arriving to site, to allow for enhanced contact tracing in the event of a confirmed case.
- All buses are thoroughly cleaned including disinfection of all hard surfaces after every bus trip.
- Signal Energy 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 Five |
| Date | 05/11/2021 |

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 | SHEQ and Systems 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 |