MAXWELL SOLAR FARM ENVIRONMENTAL MANAGEMENT STRATEGY

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1 INTRODUCTION

1.1 Background

Maxwell Solar Pty Ltd (Maxwell), a wholly owned subsidiary of Malabar Resources Limited (Malabar) owns and operates the Maxwell Solar Farm (the site). The site is located in the Upper Hunter Valley of New South Wales (NSW), east-southeast of Denman and south-southwest of Muswellbrook. The site boundary is shown in **Figure 1**.

The site is proposed to consist of the following:

- Approximately 4,500 strings each containing 30 photo voltaic (PV) panels, spaced 5-10m and being a combination of mounted east-west horizontal tracking systems and/or north-orientated fixed-tilt structures.
- Electrical conduits and cabling to connect the solar panels, combiner boxes and inverters.
- Up to approximately 1.6 kilometres (km) of 33 kilo Vaults (kV) or 3.5km 66kV overhead transmission line.
- Additional electrical transformation equipment to be positioned in proximity to the existing Maxwell Infrastructure substation, if the 33kV transmission line option is progressed.
- An onsite switch station containing up to two transformers and associated switchgear, if the 66kV transmission line option is progressed.
- Site access off Thomas Mitchell Drive.
- Internal access tracks and upgrades to existing access roads, where required.

It is proposed that the Maxwell Solar Farm would connect to one of two alternative proposed connections options to connect to the Ausgrid network:

- Option 1 is to connect to an existing 33kV substation located on the Maxwell Infrastructure Site, building a new section of 33kV transmission line (connecting to the existing 33kV southeast of Maxwell Infrastructure substation). Connection would be via a proposed powerline corridor linking the substation and existing 33kV line to the proposed Maxwell Solar Farm.
- Option 2 is to construct a new 66kV transmission line on the Maxwell Infrastructure site, connecting to a proposed new switch station to connect to the network through the Mt Arthur feeder, which is currently under construction. This installation also appears in the Development Application for the proposed Maxwell Underground as the power supply.

The existing Maxwell Infrastructure Approval encompasses 1470 hectares (ha) of land of which a maximum of 130ha would be developed as the Maxwell Solar Farm. Approximately 105ha would contain Solar Farm infrastructure and an additional area of up to 25ha is required for access and transmission line easements to connect to the existing Maxwell Infrastructure substation (Option 1) or proposed switch station (Option 2). The construction phase of the Proposal is expected to take 12-18 months. The Maxwell Solar Farm is then expected to operate for 30 years.

After the operating phase, the development would either be:

- upgraded with new photovoltaic equipment; or
- decommissioned, removing all above ground infrastructure and returning the site to pasture or other productive state.

The Development Consent for the Maxwell Solar Farm, State Significant Development 9820 (Development Consent SSD 9820), was granted on 19 August 2020 under clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* and section 4.5(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In accordance with Schedule 3, Condition 4 of Development Consent SSD 9820, Maxwell will not construct or install a battery storage facility or system.

1.2 Purpose and Scope

The purpose of this Environmental Management Strategy (EMS) is to provide the strategic framework for environmental management of the site. This EMS identifies the statutory approvals that apply to the site, including plans required under Development Consent SSD 9820.

Plans and procedures for environmental monitoring, community and stakeholder engagement, complaints management, dispute resolution, management of non-compliances and incidents, and emergency response to ensure compliance with the Development Consent SSD 9820 are included in this EMS. The role, responsibility, authority and accountability of all key personnel involved in the environmental management of the site are detailed in this strategy.

This EMS, along with a series of environmental management plans and associated documents, form the Environmental Management System for the site. This EMS applies to all activities within the SSD 9820 development application area.

The Maxwell Solar Farm is a 25 megawatt (MW) solar project located on a rehabilitated overburden emplacement area at the Maxwell Infrastructure. The Maxwell Solar Farm will be constructed and operated as a separate project and will be managed under a separate and distinct environmental management system developed in accordance with Development Consent SSD 9820.

In accordance with Schedule 4, Condition 1 of Development Consent SSD 9820, Maxwell will not commence construction until this EMS is approved by the Department of Planning, Housing and Infrastructure (DPHI) Planning Secretary. Maxwell will notify the DPHI in writing of the date of commencement of construction before the commencement date in accordance with Schedule 4, Condition 4 of Development Consent SSD 9820.

1.3 Objectives

The objectives of this EMS are to:

- provide the strategic framework for environmental management of the development;
- identify the statutory requirements that apply to the development;
- describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise;
    - respond to any non-compliance;
    - respond to emergencies; and
- include:
    - references to any plans approved under the conditions of this consent; and
    - a clear plan depicting all the monitoring to be carried out in relation to the development.

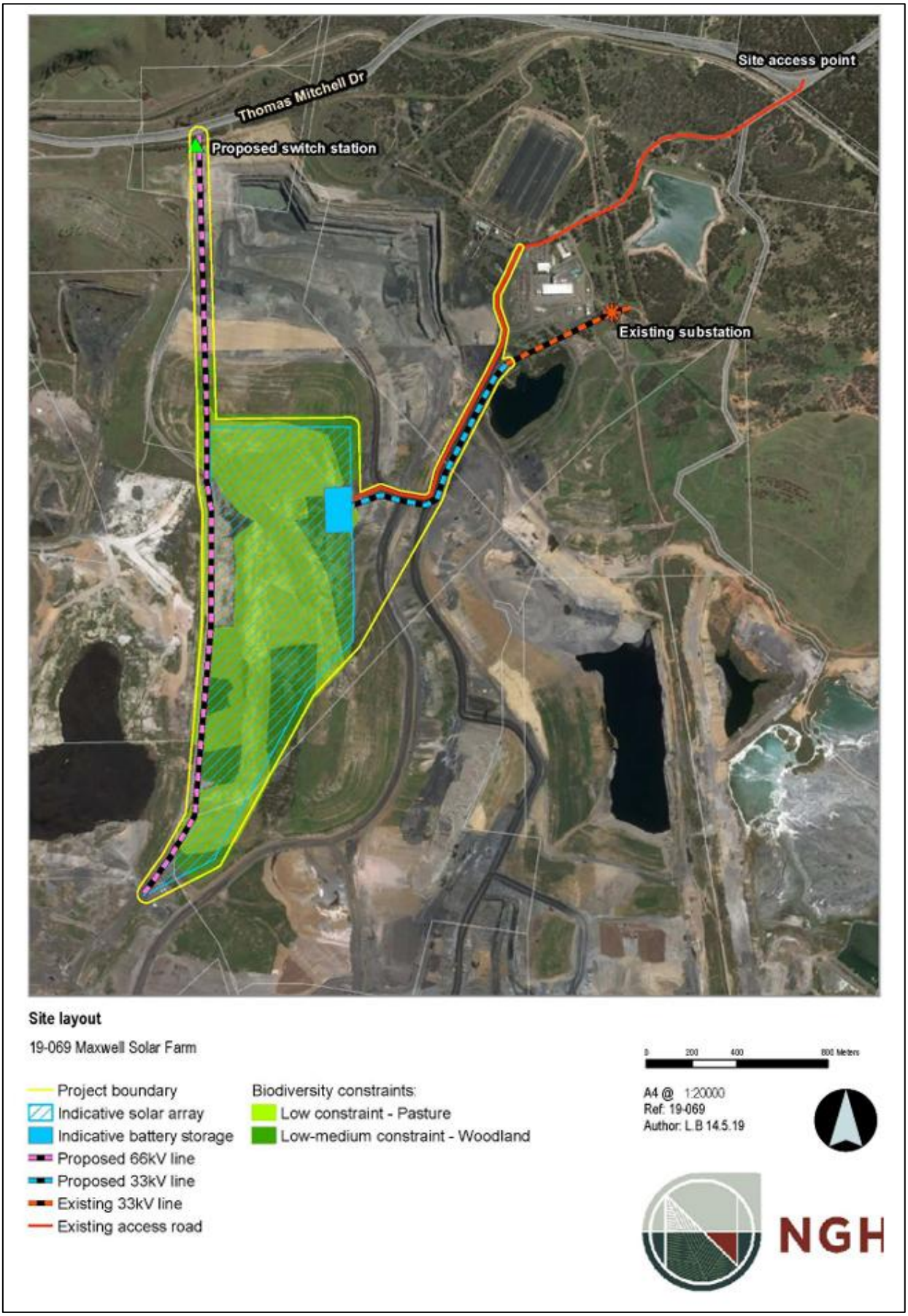

Figure 1. Maxwell Solar Farm Project Layout

2 PLANNING

2.1 Statutory Approvals

Statutory approvals that apply to the Maxwell Solar Farm are listed in **Table 1**. Maxwell will carry out activities at the site generally in accordance with the EIS and in accordance with the conditions of Consent.

If there is any inconsistency between the above documents (EIS and Consent), the most recent document must prevail to the extent of the inconsistency. However, the conditions of the consent will prevail to the extent of any inconsistency.

Table 1. Statutory approvals

Statutory Approval	Description
Development Consent SSD 9820	Development Consent issued under section 4.38 of the EP&A Act for the Maxwell Solar Farm.

2.2 Regulatory Requirements for the EMS

This EMS is required in accordance with Schedule 4, Condition 1 of Development Consent SSD 9820 This EMS describes and the environmental management measures to be implemented to meet relevant statutory requirements within Development Consent SSD 9820. The various conditions that relate to this EMS and where they are addressed in this document are detailed in **Appendix 1**.

2.3 Maxwell Solar Farm EIS and Supporting Document Commitments

The Maxwell Solar Farm Environmental Impact Statement (EIS) was published on 10 December 2019 (NGH). Supporting the EIS, and following review of submissions, a Submissions Report was prepared in March 2020.

2.4 Other relevant Legislation

In addition to the statutory approval issued under the EP&A Act, the following legislation has been identified in the EIS as relevant to the project however no specific approval is required:

- Environmental Planning and Assessment Regulation 2000;
- Muswellbrook Local Environment Plan (LEP) 2009;
- State Environmental Planning Policy (SEPP) 2011
- Protection of the Environment Operations Act (POEO) 1997;
- Water Management Act 2000;
- Biosecurity Act 2016;
- Mining Act 1992;
- Waste Avoidance and Resource Recovery Act 2001;
- Environment Protections and Biodiversity Conservation Act 1999;
- Renewable Energy (Electricity) Act 2000.

3 IMPLEMENTATION

In accordance with Schedule 4, Condition 1 of Development Consent SSD 9820, Maxwell will implement this EMS, following approval by the Planning Secretary. A copy of the approval from the Planning Secretary will be included in **Appendix 2.**

3.1 Environmental Management Framework

3.1.1 Malabar Environmental Policy

Maxwell is guided by the Malabar Environmental Policy. The policy confirms Malabar's commitment to minimising our impacts and conserving ecological processes in the communities that we share, by operating in an environmentally responsible manner. The Malabar Environmental Policy commits to the following key principles:

- establishing and promoting good environmental practices into all activities and decision-making processes;
- maintaining a risk-based approach to managing environmental impacts to achieve a level as low as reasonably practical; and
- promoting a culture of sustainability and social responsibility within our operations and surrounding communities.

3.1.2 Management Plans and Strategies

Underpinning the Malabar Environmental Policy are environmental management plans and strategies. Environmental management plans and strategies have been developed to identify potential environmental impacts and specify how they will be managed, to meet the requirements of Development Consent SSD 9820.

Where appropriate, procedures or forms are also in place to support their implementation. Together, these documents form the Environmental Management System for the site. The framework of the environmental management system to meet the requirements of the Development Consent SSD 9820 and the EIS and Submissions Report is shown in **Table 2**.

Table 2. Environmental Management Documents

Plan or Strategy	Requirement	Approval Authority	Timing
Environmental Management Strategy (This Document)	SSD 9820 Schedule 4 Condition 1	DPHI	Prior to construction
Traffic Management Plan	SSD 9820 Schedule 3 Condition 3	DPHI	Prior to construction
Emergency Plan Including: • Bushfire Management Plan • Emergency Fire Response Plan	SSD 9820 Schedule 3 Condition 17	NSW FRS NSW RFS	Prior to Construction
Construction Environmental Management Plan Including: • Weed Management Plan • Erosion and Sediment Control Plan • Community Consultation Plan • Waste Management Plan • Noise Management Procedure • Incident Management Procedure	EIS Statement of Commitment BD1	-	Prior to Construction by Contractor

Plan or Strategy	Requirement	Approval Authority	Timing
Rehabilitation and Decommissioning Management Plan	EIS Statement of Commitment LU3	-	Prior to Decommissioning
Pest and Weed Management Plan	EIS Statement of Commitment LU4	-	Prior to Operations

3.1.3 Updating and Staging of Strategies, Plans or Programs

In accordance with Schedule 4, Condition 3 of Development Consent SSD 9820, Malabar will seek approval of the Secretary should any of the environmental management documents as shown in **Table 2**, require staging and updates on a progressive basis. Details of staging will be provided within the relevant strategy, plan or program.

Any revisions to environmental management documents will be submitted to the Secretary for approval.

3.1.4 Environmental Management Objectives

For all relevant environmental aspects, Maxwell's objectives are to:

- identify potential impacts;
- implement controls to minimise potential impacts;
- determine appropriate criteria to assess environmental performance;
- monitor environmental performance;
- manage community complaints in a timely and effective manner; and
- ensure relevant statutory requirements are met.

These objectives and how they are to be achieved are detailed for individual environmental aspects in the corresponding environmental management plans.

3.1.5 Document Structure

For ease of review and implementation, all environmental management plans, including this document, are structured as follows:

1. Introduction.
2. Planning.
3. Implementation.
4. Measurement and evaluation.
5. Audit, review and improvement.
6. Information, training and instruction.
7. Responsibilities.
8. Document Information.
9. Appendices.

The content of each section remains as consistent as possible in all plans.

4 MEASUREMENT & EVALUATION

4.1 Environmental Monitoring

Maxwell will undertake traffic dilapidation surveys of Thomas Mitchell Drive as required by the Traffic Management Plan.

No other environmental monitoring requirements have been identified for the Maxwell Solar Farm, or are required under Development Consent SSD 9820.

4.2 Environmental Mitigation Measures

In accordance with the Maxwell Solar Farm Development Consent SSD 9820 and EIS Statement of Commitments (SoC), Maxwell will implement all reasonable and feasible measures to prevent and /or minimise any material harm to the environment that may result from construction, operation, upgrading or decommissioning of the development as per the following sections.

4.2.1 Traffic

In accordance with Schedule 3, Conditions 2 and 3 of Development Consent SSD 9820:

- Maxwell must ensure:
  - (a) the internal roads are constructed as all-weather roads;
  - (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;
  - (c) all vehicles are loaded and unloaded on site, and enter and leave the site in a forward direction; and
  - (d) development-related vehicles leaving the site are in a clean condition to minimise dirt being tracked onto the sealed public road network.
- Maxwell must prepare a Traffic Management Plan for the development in consultation with TfNSW and Council, and to the satisfaction of the Secretary in writing.

Traffic management and mitigation measures are outlined in the *Maxwell Solar Farm Traffic Management Plan.*

4.2.2 Biodiversity and Land Management

As per Schedule 3, Condition 4 of Development Consent SSD 9820, Maxwell must maintain soil stability of the site, unless otherwise agreed with the Secretary, including:

(a) establishing the ground cover of the site as soon as practicable and no later than within 3 months following completion of any construction or upgrading; and

(b) properly maintaining the ground cover with appropriate perennial species and weed management.

In accordance with Schedule 3, Condition 5 of Development Consent SSD 9820, no native vegetation or fauna habitat will be cleared outside of the approved disturbance areas described in the EIS.

As outlined in SoC BD1 to BD4:

- A CEMP will be prepared by the Primary Contractor prior to construction. The CEMP will include:
  - A Weed Management Plan.
  - An Erosion and Sediment Control Plan.
  - Hygiene protocols to prevent the spread of weeds or pathogens between infected areas.
  - Management measures for priority weeds according to the requirements of the *Biosecurity Act 2015*.
  - Stabilisation methods for construction areas.

Biodiversity and land mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

A Pest and Weed Management Plan will be prepared for the operational phase of the Maxwell Solar Farm prior to operations commencing (Table 2).

4.2.3 Noise

In accordance with Schedule 3, Condition 6 of Development Consent SSD 9820, and SoC NS1, Maxwell may only undertake construction, upgrading or decommissioning activities 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.

The following construction, upgrading or decommissioning activities may be undertaken outside these hours without the approval of the Secretary:

- activities that are inaudible at non-associated receivers;
- 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.

As per Schedule 3, Condition 7 of Development Consent SSD 9820 and SoC NS2 to NS8:

- Maxwell must minimise the noise generated by any construction, upgrading or decommissioning activities on site in accordance with the best practice requirements outlined in the Interim Construction Noise Guideline (DECC, 2009), or its latest version.
- All staff on-site will be informed of procedures to operate plant and equipment in a quiet and efficient manner
- A letter box drop will be prepared and provided to residences within 3km of the works. The letter would contain details of the proposed works including timing and duration and a contact person for any enquiries or complaints.
- Maxwell will implement noise control measures that are suggested in Australian Standard 2436-2010 “Guide to Noise Control on Construction, Demolition and Maintenance Sites”, to reduce predicted construction noise levels.
- In addition to physical noise controls, the following general noise management measures should be followed:
    - Plant and equipment will be properly maintained.
    - Provide special attention to the use and maintenance of ‘noise control’ or ‘silencing’ kits fitted to machines to ensure they perform as intended.
    - Strategically position plant on site to reduce the emission of noise to the surrounding neighbourhood and to site personnel.
    - Avoid any unnecessary noise when carrying out manual operations and when operating plant.
    - Any equipment not in use for extended periods during construction work will be switched off.
- Maxwell will establish a noise management procedure to deal with noise complaints that may arise from construction activities. Each complaint would need to be investigated, and appropriate noise amelioration measures put in place to mitigate future occurrences, where the noise in question is in excess of allowable limits.
- Where noise level exceedances cannot be avoided, then time restrictions and/or providing periods of repose for residents must be considered where feasible and reasonable. That is, daily periods of respite from noisy activities may also be scheduled for building occupants during construction hours.
- Some items of plant may exceed noise limits even after noise treatment is applied. To reduce the overall noise impact, the use of noisy plant may be restricted to within certain time periods, where feasible and reasonable. Allowing the construction activities to proceed, despite the noise exceedance may be the preferred method in order to complete the works expeditiously.

Noise mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.4 Air Quality

In accordance Schedule 3, Condition 8 of Development Consent SSD 9820, Maxwell must minimise dust generated by the development.
As per SoC AQ1 to AQ5:

- Development of a complaints procedure to promptly identify and respond to issues generating complaints.
- Protocols to guide vehicle and construction equipment use to minimise emissions will be included in construction and operational environmental management plans. This will include but not be limited to Australian standards and POEO Act requirements.
- Dust will be monitored and managed to prevent dust leaving the development site. This includes covering loads and watering of unsealed roads and stockpiles.
- Monitor local weather conditions and manage the site if any conditions will exacerbate air quality (e.g. wind).
- Fires and material burning are prohibited on site.

Air quality mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.5 Lighting & Visual

As per Schedule 3, Condition 10 of Development Consent SSD 9820 Maxwell must:

(a) minimise the off-site lighting impacts of the development; and
(b) ensure that any external lighting associated with the development:
  - is installed as low intensity lighting (except where required for safety or emergency purposes);
  - does not shine above the horizontal; and
  - complies with Australian Standard AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version.

Lighting mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

Off-site visual impacts must be managed as per Schedule 3, Condition 9 of Development Consent SSD 9820, including:

(a) minimising the off-site visual impacts of the development, including the potential for any glare or reflection;
(b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and
(c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

These requirements will be implemented into the final design and layout plans for the Development.

4.2.6 Aboriginal and Historic Heritage

In accordance with Schedule 3, Condition 11 of Development Consent SSD 9820, and SoC AH1 to AH6:

- In the event that surface disturbance identifies an Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information System (AHIMS) which is managed by BCD and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologists and BCD, to develop and implement management strategies for all projects/site.
- In the event that potential human skeletal remains are identified at any point throughout the life of the proposed activity, the following standard procedure should be followed:
  - All work in the vicinity of the remains should cease immediately;

- The location should be cordoned off - work can continue outside of this area as long as there is no risk of interference to the remains or the assessment of the remains;
- Where it is instantly obvious from the remains that they are human, the Manager Environment and Community (or a delegate) should inform the NSW Police by telephone (prior to seeking specialist advice);
- Where uncertainty over the origin (i.e., human or non-human) of the remains exists, a physical or forensic anthropologist should be commissioned to inspect the exposed remains in situ and to make a determination of origin, ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or modern):
    - If the remains are identified as modern and human, notify NSW Police;
    - If the remains are identified as pre-contact or historic Aboriginal, notify DPIE using their Environment Line (131 555);
    - If the remains are identified as historic (non-Aboriginal), notify the NSW Heritage Division;
    - If the remains are as identified as non-human but archaeological in nature, engage a suitably qualified heritage specialist to determine the nature, extent and significance of the remains and to provide appropriate management advice; and
    - If the remains are as identified as non-human and non-archaeological, resume works.

- In Aboriginal community representative must be present where it is reasonably suspected burials or human remains may be encountered. If human remains are unexpectedly encountered and they are thought to be Aboriginal, the Aboriginal community must be notified immediately.
- Recording of Aboriginal ancestral remains must be undertaken by or be conducted under the direct supervision of a specialist physical anthropologist or other suitably qualified person.
- Archaeological reporting of Aboriginal ancestral remains must be undertaken by, or reviewed by, a specialist physical anthropologist or other suitably qualified person, with the intent of using respectful and appropriate language and treating the ancestral remains as the remains of Aboriginal people rather than as scientific specimens.

As per SoC HH1 and HH2:

- Should an item of historic heritage be identified, the Heritage Division (DPIE) would be contacted prior to further work being carried out in the vicinity
- Should any skeletal remains be found, works will cease immediately, the area cordoned off and the Police contacted.

Aboriginal and Historic Heritage mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.7 Soil and Water

In accordance with Schedule 3, Conditions 12, 13 and 14 of Development Consent SSD 9820:

- Maxwell must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.
- Maxwell must ensure that the development does not cause any water pollution, as defined under Section 120 of the POEO Act.
- Maxwell must:
    - ensure the solar panels and ancillary infrastructure (including security fencing) are designed, constructed and maintained to reduce impacts on surface water, flooding and groundwater at the site;
    - minimise any soil erosion associated with the construction, upgrading or decommissioning of the development in accordance with the relevant requirements in the Managing Urban Stormwater: Soils and Construction (Landcom, 2004) manual, or its latest version;
    - ensure the solar panels and ancillary infrastructure are designed, constructed and maintained to avoid causing any erosion on site; and
    - ensure all works are undertaken in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018), or its latest version unless DPIE Water agrees otherwise

As per SoC WA1 to WA9:

- All staff will be appropriately trained through toolbox talks for the minimisation and management of accidental spills.
- All fuels, chemicals, and liquids will be stored at least 50m away from any waterways or drainage lines and will be stored in an impervious bunded area.
- Adequate incident management procedures will be incorporated into the Construction and Operation Environmental Management Plans, including requirement to notify EPA for incidents that cause material harm to the environment (refer s147-153 Protection of the Environment Operations Act 1997).
- The refuelling of plant and maintenance of machinery will be undertaken in impervious bunded areas.
- Machinery will be checked daily to ensure there is no oil, fuel or other liquids leaking from the machinery. All staff will be appropriately trained through toolbox talks for the minimisation and management of accidental spills.
- Erosion and sediment control measures that will be implemented to mitigate any impacts in accordance with Managing Urban Stormwater: Soils & Construction (Landcom, 2004).
- Ensure appropriate drainage controls are incorporated into the design.
- An Emergency Response Plan incorporating a Flood Response Plan will be prepared prior to construction. Refer to Maxwell Underground Emergency Response Plan.
- The design of buildings, equipment foundations and footings for electrical componentry and panel mounts will be designed to avoid the 1% AEP flood level to minimise impacts from potential flooding including:
    - The solar array mounting piers are designed to withstand the forces of floodwater (including any potential debris loading) up to the 1% AEP flood event, giving regard to the depth and velocity of floodwaters.
    - The mounting height of the solar module frames will be designed such that the lower edge of the module is clear of the predicted 1% AEP flood level.
    - All electrical infrastructure, including inverters, will be located above the 1% AEP flood level.
    - Where electrical cabling is required to be constructed below the 1% AEP flood level it will be capable of continuous submergence in water.
    - The proposed perimeter security fencing will be constructed in a manner which does not adversely affect the flow of floodwater and should be designed to withstand the forces of floodwater or collapse in a controlled manner to prevent impediment to floodwater.

As per SoC SO1 to SO7:

- A construction Erosion and Sediment Control Plan (ESCP) should be prepared for a high-risk erosion hazard site in accordance with Landcom Soils and Construction: Managing Urban Stormwater (2004).
- The design and construction of the Proposal should minimise ground disturbance and avoid disturbing steep slopes.
- Where ground disturbance is required the vegetation (organic matter) should be retained and reused during rehabilitation.
- Topsoil should be stockpiled separately and treated with ameliorants as soon as practicable to encourage topsoil quality for reuse during rehabilitation
- A rehabilitation and revegetation plan should be prepared and include stabilisation and topsoil amelioration.
- Soils disturbed during construction and with an exchangeable sodium percentage above 6% should be treated with gypsum to increase the levels of calcium and magnesium, and thus lowering the exchangeable sodium percentage
- Unrehabilitated areas on the powerline easement and access road should be rehabilitated in accordance with the conditions of the current mining approval.

In accordance with Section 6.4 of the Response to Submissions report, water used to clean solar panels must meet the water quality standards outlined in the Australian and New Zealand guidelines for fresh and marine water quality, Volume 1, The Guidelines, Section 4.2 Water quality for irrigation and general water use.

Soil and water mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.8 Hazard Management

In accordance Schedule 3, Conditions 15, 16 and 17 of Development Consent SSD 9820:

- Maxwell must store and handle all chemicals, fuels and oils used on-site in accordance with:
    - the requirements of all relevant Australian Standards; and
    - the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook if the chemicals are liquids.
- Maxwell must:
    - minimise the fire risks of the development, including managing vegetation fuel loads on-site;
    - ensure that the development:
        - includes at least a 10 metre defendable space around the perimeter of the solar array area that permits unobstructed vehicle access;
        - manages the defendable space and solar array areas as an Asset Protection Zone;
        - complies with the relevant asset protection requirements in the RFS's Planning for Bushfire Protection 2006 (or equivalent) and Standards for Asset Protection Zones;
        - is suitably equipped to respond to any fires on site including provision of a 20,000 litre water supply tank fitted with a 65mm Storz fitting and a FRNSW compatible suction connection located adjacent to the internal access road;
    - assist the RFS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
    - (d) notify the relevant local emergency management committee following construction of the development, and prior to commencing operations.
- Maxwell must develop and implement a comprehensive Emergency Plan and detailed emergency procedures for the development. Refer to the Maxwell Underground Emergency Response Plan.

As outlined in SoC HA1 to HA8:

- An Emergency Response Plan, incorporating an Evacuation Plan and Emergency Fire Response Plan will be developed prior to commissioning the Solar Farm. Two copies of the plan will be kept on site in an 'Emergency Information Cabinet' in a prominent position adjacent to the site entry point at all times.
- Dangerous or hazardous materials will be transported, stored and handled in accordance with AS1940-2004: The storage and handling of flammable and combustible liquids, and the ADG Code where relevant. All potential pollutants kept on-site will be stored in accordance with relevant HAZMAT requirements and bunded.
- All design and engineering will be undertaken by qualified competent persons with the support of specialists as required.
- All electrical equipment will be designed in accordance with relevant codes and industry best practice standards in Australia.
- Design of electrical infrastructure to minimise EMFs through the solar array.
- A Bush Fire Management Plan will be developed and implemented during construction, operation and decommissioning, with input from the RFS, and include but not be limited to:
    - Management of activities with a risk of fire ignition.
    - Management of fuel loads onsite.
    - Storage and maintenance of firefighting equipment, including siting and provision of adequate water supplies for bush fire suppression.
    - The below requirements of Planning for Bush Fire Protection 2006:
        - Identifying asset protection zones.
        - Providing adequate egress/access to the site.
        - Emergency evacuation measures.

- Operational procedures relating to mitigation and suppression of bush fire relevant to the Solar Farm.
- A comprehensive Emergency Fire Response Plan will be developed and implemented during construction, operation and decommissioning, and include but not be limited to:
    - Address foreseeable on-site and off-site fire events.
    - Detail appropriate risk control measures that will need to be implemented to safely mitigate potential risk to the health and safety of firefighters and other first responders.
- Other risk control measures that may need to be implemented in a fire emergency due to any unique hazards specific to the site
- Once constructed and prior to operation, that the operator of the facility contacts the relevant local emergency management committee (LEMC), which contact can be obtained from the relevant council.

Hazard management will be outlined in the *Maxwell Emergency Response Plan.*

4.2.9 Waste

In accordance Schedule 3, Condition 18 of Development Consent SSD 9820 Maxwell must:

(a) minimise the waste generated by the development;
(b) classify all waste generated on site in accordance with the EPA's Waste Classification Guidelines 2014 (or its latest version);
(c) store and handle all waste on site in accordance with its classification;
(d) not receive or dispose of any waste on site; and
(e) remove all waste from the site as soon as practicable, and ensure it is sent to an appropriately licensed waste facility for disposal

As outlined in SoC WM1, a Waste Management Plan (WMP) will be developed and implemented during construction, operation and decommissioning to minimise wastes.

It will include but not be limited to:

- Identification of opportunities to avoid, reuse and recycle, in accordance with the waste hierarchy.
- Quantification and classification of all waste streams.
- Provision for recycling management onsite.
- Provision of toilet facilities for onsite workers and how sullage will be disposed of (i.e., pump out to local sewage treatment plant).
- Tracking of all waste leaving the site.
- Disposal of waste at facilities permitted to accept the waste.
- Requirements for hauling waste (such as covered loads)

Waste mitigation and management measures will be outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.10 Decommissioning and Rehabilitation

In accordance Schedule 3, Condition 19 of Development Consent SSD 9820, within 18 months of the cessation of operations, unless otherwise agreed with the Secretary, Maxwell must rehabilitate the site to the satisfaction of the Secretary. This rehabilitation must comply with the objectives in Table 3 of Development Consent SSD9820, unless otherwise agreed with the Secretary.

As per Section 6.3 of the Response to Submissions Report, the Rehabilitation and Decommissioning Management Plan is to include the removal of all above and below ground infrastructure.

As per Section 6.10 of the Response to Submissions Report:

- Maxwell Solar commits to the rehabilitation of the Solar Farm land as part of the decommissioning phase of the project
- Rehabilitation objective for the Solar Farm includes rehabilitation of the area to pasture vegetation (Class V) and a landscape able to support sustainable (low density) livestock grazing

- Maxwell Solar Pty Ltd will assume the rehabilitation obligations and liabilities for all other areas when and if the area is removed from the Mining Lease including:
    - Soil Sodicity
    - Weed management
    - Landform instability
    - Poor vegetation cover
    - Substrate quality.

Decommissioning and rehabilitation mitigation and management measures will be outlined in the *Maxwell Solar Farm Rehabilitation and Decommissioning Management Plan.*

4.2.11 Compatibility with existing land uses

In accordance with SoC LU1 to LU5:

- Consultation with adjacent landholders will be ongoing to manage interactions between the Solar Farm and other properties.
- Consultation will be undertaken with AGL and Ausgrid regarding offsite energy transmission infrastructure.
- A Rehabilitation and Decommissioning Management Plan is to be prepared in consultation with NSW Department of Primary Industries and the landowner prior to decommissioning. The Rehabilitation and Decommissioning Management Plan is to include:
    - Removal of all above ground infrastructure.
    - Removal of gravel from internal access tracks where required, in consultation with landowner.
    - Reverse any compaction by mechanical ripping. Indicators and standards to indicate successful rehabilitation of disturbed areas. These indicators and standards should be applied to rehabilitation activities once the Solar Farm is decommissioned
- A Pest and Weed Management Plan will be prepared to manage the occurrence of priority weeds and pest species across the site during construction and operation. The plans must be prepared in accordance with Muswellbrook Shire Council and NSW DPI requirements. Where possible integrate weed and pest management with adjoining landowner
- Construction and operations personnel will drive carefully and below the designated speed limit according to the Traffic Management Plan to minimise dust generation and ground disturbance.

Refer to the:

- *Maxwell Solar Farm Rehabilitation and Decommissioning Management Plan.*
- *Maxwell Solar Farm Construction Environmental Management Plan.*
- *Maxwell Solar Farm Traffic Management Plan*

4.2.12 Stakeholder Engagement

Maxwell is committed to proactive consultation with community and stakeholders to ensure the Maxwell Solar Farm can co-exist with the local community, neighbours and other local industries.

The objective of stakeholder engagement is to provide transparent, consistent and inclusive stakeholder engagement and access to current and sufficient information about the Maxwell Solar Farm, its activities, workforce and schedule to support impact management. Stakeholder engagement activities as per the EIS SoC's SE1 to SE4 will be implemented as per the Maxwell Solar Community Consultation Plan which includes the following protocols:

- providing staging notification and relevant plans to the Department as required under Schedule 4, Conditions 4-6 of Development Consent SSD 9820;
- providing up to date information about the Maxwell Solar Farm progress and benefits by way of regular updates in the Malabar quarterly community newsletter and on the Malabar Website; https://malabarresources.com.au/news;
- offering to meet regularly and when requested with representatives of the Coolmore Stud, Godolphin Woodlands Stud and Hollydene Estate Wines.

- Informing relevant stakeholders of potential impacts, including direct contact with any identified stakeholder who are potentially impacted by a specific activity such as bulk deliveries or out of hours works at least 7 days prior to such work occurring.
- Handling and responding to complaints in accordance with Section **4.3** of this EMS.
- Liaison with local industry representatives to maximise the use of local contractors, manufacturing facilities, materials.
- Liaison with local representatives regarding accommodation options for staff, to minimise adverse impacts on local services.
- Liaison with local tourism industry and council representatives to manage potential timing conflicts or cooperation opportunities with local events.

Stakeholder engagement will be further outlined in the *Maxwell Solar Farm Construction Environmental Management Plan.*

4.2.13 Protection of Public Infrastructure

Where public infrastructure other than public roads is impacted by the development, Maxwell may enter into an agreement with the applicable authority to deal with such matters, otherwise Maxwell will:

- Repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and
- Relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

4.3 Complaints Handling

The Maxwell Solar Farm maintains a 24-hour community hotline (1800 653 960) for any issues or enquiries related to activities at the Maxwell Complex. In addition to the community hotline, the site can also be contacted by emailing info@malabarresources.com.au.

If a complaint or enquiry is received regarding Maxwell Solar Farm, it will be investigated as soon as reasonably practicable and managed in accordance with Maxwell's Community Complaints and Enquiries Procedure. Details such as complainant name, contact details, nature of concern, date, time and method of receival are recorded. While details of the enquiry vary depending on the nature and source of the enquiry, the following actions will be undertaken:

- Confirmation of whether the complainant would like the matter raised as a complaint or an enquiry;
- Identify further details which may assist in determining the cause of the complaint;
- Carry out an inspection of the site to identify the source;
- Identify if there is an exceedance or non-compliance with any consent; and
- Identify, where necessary and practical, methods to manage the source of the complaint and minimise the chance of a recurrence or the potential to generate further complaints.

All enquiries and/or complaints are recorded in an enquiries database. In accordance with Schedule 4, Condition 10 of Development Consent SSD 9820, a complaints register, updated monthly will be publicly available on Malabar's website at https://malabarresources.com.au/corporate-governance/.

4.4 Dispute Resolution

Maxwell will take all reasonable steps to resolve concerns raised by members of the community. However, in the instance that an issue regarding compliance with Development Consent SSD 9820 is raised by a community member and cannot be resolved, the matter will be referred by either party to the Planning Secretary for resolution in accordance with the relevant consent conditions.

In this instance, the Planning Secretary may require an independent review to be undertaken to determine if Maxwell is complying with the Consent. Depending on the findings of the review, Maxwell may implement further reasonable and feasible measures to ensure compliance.

4.5 Incident and Non-compliance

An incident is defined in Development Consent SSD 9820 as a set of circumstances that causes or threatens to cause material harm.

In accordance with Schedule 4, Condition 7 of Development Consent SSD 9820, Maxwell will notify the Department via the Major Planning Portal within 7 days after becoming aware of the incident. The notification will identify the Development, Development application number and set out the location and nature of the incident.

Furthermore, Development Consent SSD 9820 defines a non-compliance being an occurrence, set of circumstances or development that is breach of the consent but is not an incident. In accordance with Schedule 4, Condition 8 of Development Consent SSD 9820, Maxwell will notify the Department in writing via the Major Planning Portal within 7 days after becoming aware of any non-compliance with the conditions of Development Consent SSD 9820. The notification will identify the development and application number and the condition of consent that is deemed non-compliant. In addition, Maxwell will provide any reasons identified for the non-compliance (if known) and what actions have been implemented (or will) to address the non-compliance.

4.6 Emergency Response

In the event of an incident requiring an emergency response, the Maxwell Complex Emergency Response Plan (ERP) as required under Schedule 3, Condition 17 of Development Consent SSD 9820 will be initiated.

The ERP has been developed for the site and provides the framework to allow the efficient and effective management of incidents, regardless of their size, type or complexity. The ERP has been prepared to meet the requirements of the Work Health and Safety Act 2011, Work Health and Safety Regulations 2011, Work Health and Safety (Mines Act 2013 and the Work Health and Safety (Mines) Regulations 2014.

The ERP includes the emergency protocols for the Maxwell Complex, including incident response initiation, evacuation, first aid facilities and emergency equipment.

The Maxwell Complex does not have on-site emergency response team and therefore if emergency services are required, a call to ‘000’ should be made immediately. Any emergency services required will be escorted onsite. All personnel will be trained in emergency response relevant to their role.

5 AUDIT, REVIEW AND IMPROVEMENT

5.1 Review Schedule

Updates to this EMS, and any other Strategy, Plan or Program required by Development Consent SSD 9820 will be approved by the Planning Secretary prior to carrying out any upgrades or decommissioning activities on site.

The suitability of this EMS will be reviewed in accordance with Schedule 4, Condition 2 of Development Consent SSD 9820, that is within one month of:

- the submission of an incident notification under Condition 7 of Schedule 4;
- the submission of an audit report under Condition 9 of Schedule 4; or
- any modification of Development Consent SSD 9820.

5.2 Reporting, Auditing and Access to Information

In accordance with Schedule 4, Condition 10 of Development Consent SSD 9820 Maxwell will make the following information and documents publicly available on Malabar’s website as relevant to the stage of the development (https://malabarresources.com.au/corporate-governance/):

- 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 Development Consent SSD 9820;
- 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, the Applicants response to the recommendations in any audit; and
- any other matter required by the Secretary.

This information shall be kept up to date, to the satisfaction of the Planning Secretary.

5.2.1 Independent Environmental Audits

Preparation and publishing of Independent Environmental Audits of the development will also be a key part of Maxwell's strategy to keep the community and relevant agencies informed about the operation and environmental performance of the development. In accordance with Schedule 4, Condition 9 of Development Consent SSD 9820, Maxwell will commission and pay the full cost of an Independent Environmental Audit of the development. The audit must:

(a) be prepared in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020);

(b) be led and conducted by a suitably qualified, experienced and independent team of experts of whose appointment has been endorsed by the Planning Secretary;

(c) be prepared, unless otherwise agreed with the Secretary;

i) within 3 months of commencing construction;

ii) within 3 months of commencement of operation; and

iii) as directed by the Secretary.

(d) be carried out in consultation with the relevant agencies;

(e) assess whether the development complies with the relevant requirements in Development Consent SSD 9820, and any strategy, plan or program required by Development Consent SSD 9820; and

(f) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under Development Consent SSD 9820.

In accordance with Schedule 4, Condition 9 of Development Consent SSD 9820, within three months of commencing an Independent Environmental Audit, or other timeframe agreed by the Planning Secretary. Maxwell shall submit a copy of the audit report to the Planning Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations shall be implemented to the satisfaction of the Planning Secretary.

In accordance with Schedule 4, Condition 10 of Development Consent SSD 9820, any Independent Environmental Audit will be publicly available on Malabar's website at https://malabarresources.com.au/corporate-governance/.

5.3 Records Management

All environmental monitoring and management data is maintained on the premises for a period of at least five years.

5.4 Continuous Improvement

Feedback from any complaints will be used to assess impacts and determine where improvements or mitigation measures are required.

5.5 Document Review History

A summary of the document history is outlined in **Table 3**.

Table 3. Document Revision Status

Issue	Issue Date	Review Team	Details of Change / Communication
1	July 2025	Acting EC&A Manager	Document prepared following approval of Development Consent SSD 9820 for the Maxwell Solar Farm.
1.1	July 2025	Acting EC&A Manager	Document updated to address feedback from DPHI.
2	March 2026	EC&A Manager	Document updated following an Independent Environmental Audit to correct formatting errors in Appendix 1.

6 INFORMATION, TRAINING AND INSTRUCTION

6.1 Competent Persons

Suitably qualified, competent and experienced persons shall be involved in the design, planning and implementation of this plan and related procedures.

6.2 Training

Environmental management training is provided to all employees and contractors through the Site Familiarisation process. From time to time, workforce communication and toolbox talks allow for discussion of the objectives and requirements of Management Plans.

All site personnel involved in supervisory roles will undertake a more detailed awareness training package to assist in the effective implementation of environmental management controls relevant to their role. Records of training will be kept and maintained in a site database.

7 RESPONSIBILITIES

Responsibilities associated with this EMS are outlined **Table 5**.

Table 5. Responsibilities

Position	Responsibilities
Maxwell Complex General Manager	• Responsible for overall environmental performance of the Maxwell Solar Farm. • Provide adequate resources for the implementation of all plans and strategies listed in Table 2.
Environment, Community & Approvals (ECA) Manager	• Oversee the implementation of all plans and strategies listed in Table 2. • Notify regulatory authorities and affected stakeholders of incidents in accordance with this EMS. • Coordinate periodic reviews of this EMS. • Facilitate training in accordance with this EMS and all plans and strategies listed in Table 2.
Environmental Coordinator	• Assist the ECA Manager as required in the implementation of all plans and strategies listed in Table 2. • Coordinate investigations of environmental incidents or complaints. • Coordinate the management of records and reporting • Manage environmental complaints in accordance with the complaints management procedure. • Provide training to all relevant personnel.
All Supervisors	• Notify the Environmental Coordinator of any incidents and exceedances involving environmental impacts. • Implement control measures as defined in the plans and strategies listed in Table 2.
All Personnel	• Perform tasks in an environmentally responsible manner. • Undertake works in accordance with the objectives and principles of the plans and strategies listed in Table 2. • Report any environmental incidents and exceedances. • Participate in all environmental training.

8 DOCUMENT INFORMATION

8.1 References

NGH (2019), *Environmental Impact Statement, Maxwell Solar Farm*

Maxwell, *Community Complaints and Enquiries Procedure*

NSW Department of Planning Industry and Environment, *Development Consent, State Significant Development 9820*

8.2 Definitions and Abbreviations

Term	Definition
CHPP	Coal Handling and Preparation Plant
DA	Development Approval
DPHI	NSW Department of Planning, Housing and Infrastructure
EPA	NSW Environment Protection Authority
EP&A	Environmental Planning and Assessment
EPL	Environment Protection Licence
MEA	Mine Entry Area
NSW	New South Wales
PA	Project Approval
SSD	State Significant Development

APPENDIX 1 – REGULATORY REQUIREMENTS

State Significant Development Consent 9820

Clause	Requirement	Section of Plan
S2 **C1**	Obligation to Minimise Harm to the Environment 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.	**This EMS** **Section 4.2**
S2 **C2**	Terms of Consent The Applicant must carry out the development: (a) generally in accordance with the EIS; and (b) in accordance with the conditions of this consent. Note: The general layout of the development is shown in Appendix 1.	**Section 2.1**
S2 **C3**	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.	**Section 2.1**
S2 **C8**	**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 (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development. This condition does not apply to the upgrade and maintenance of the road network, which is expressly provided for in the conditions of this consent.	**Section 4.2.13**
S3 **C1**	**Battery Storage Restriction** This development consent does not authorise the construction or installation of a battery storage facility or systems. Note: This condition does not prevent the Applicant from seeking to lodge a separate development application or modify this consent to install a battery storage system in the future.	**Section 1.1**
S3 **C9**	**Visual** The Applicant must: (a) minimise the off-site visual impacts of the development, including the potential for any glare or reflection; (b) ensure the visual appearance of all ancillary infrastructure (including paint colours) blends in as far as possible with the surrounding landscape; and (c) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes	**Section 4.2.5**
S4	**Environmental Management Strategy**	

Clause	Requirement	Section of Plan
C1	Prior to the commencing construction, the Applicant must prepare an Environmental Management Strategy for the Development to the satisfaction of the Secretary in Writing. This strategy must:	
	a) Provide the strategic framework for the environmental management of the development	**This EMS**
	b) Identify the statutory approvals that apply to the development	**Section 2.1** **Section 2.4**
	c) Describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development	**Section 7**
	d) Describe the procedures that would be implemented to: • Keep the local community and relevant agencies informed about the operation and environmental performance	**Section 4.2.12** **Section 5.2**
	• Receive, handle, respond to and record complaints	**Section 4.2.13**
	• Resolve any disputes that may arise	**Section 4.4**
	• Respond to any non-compliance	**Section 4.5**
	• Respond to any emergencies	**Section 4.6**
	e) Include: • References to any plans approved under the conditions of this consent; and	**Section 2.3** **Section 3.1.2**
	• Include a clear plan depicting all the monitoring to be carried out in relation to the development.	**N/A**
S4 C2	**Revision of Strategies, Plans 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	**Section 5**
	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: • Submission of an incident report under Condition 7 of Schedule 4; • Submission of an audit report under Condition 9 of Schedule 4; or • Any modification to the conditions of this consent.	**Section 5**
S4 C3	**Updating and Staging of Strategies, Plans or Programs** With the approval of the Secretary, the Applicant may submit any strategy, plan or program required by this consent on a progressive basis. To ensure the strategies, plans or programs under the conditions of this consent are updated on a regular basis, the Applicant may at any time submit revised strategies, plans or programs to the Secretary for approval. With the agreement of the Secretary, the Applicant may prepare any revised	**Section 3.1.3**

Clause	Requirement	Section of Plan
	strategy, plan or program without undertaking consultation with all the parties referred to under the relevant condition of this consent. Notes: • 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.	
S4 C4	**Notification of Department** Prior to commencing the construction, operations, upgrading or decommissioning of the development or the cessation of operations, the Applicant must notify the Department via the Major Projects website portal 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 commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.	**Section 5.2.2**
S4 C5	**Final Layout Plans** Prior to commencing construction, the Applicant must submit detailed plans of the final layout of the development to the Department via the Major Projects website, including details on the siting of solar panels and ancillary infrastructure.	**Section 5.2.2**
S4 C6	**Work as Executed Plans** Prior to commencing 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 via the Major Projects website.	**Section 5.2.2**
S4 C7	**Incident Notification** The Department must be notified via the Major Projects website portal within 7 days 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.	**Section 4.5**
S4 C8	**Non-Compliance Notification** The Department must be notified in writing via the Major Projects website portal 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.	**Section 4.5**
S4 C9	**INDEPENDENT ENVIRONMENTAL AUDIT** The Applicant must commission and pay the full cost of Independent Environmental Audits of the development. The audits must: a) be prepared in accordance with the Independent Audit Post Approval Requirements (DPIE, 2020); b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary; c) be prepared, unless otherwise agreed with the Secretary:	**Section 5.2.1**

Clause	Requirement	Section of Plan
	i) within 3 months of commencing construction; ii) within 3 months of commencement of operations; and iii) as directed by the Secretary; d) be carried out in consultation with the relevant agencies; e) assess whether the development complies with the relevant requirements in this consent, and any strategy, plan or program required under this consent; and f) recommend appropriate measures or actions to improve the environmental performance of the development and any strategy, plan or program required under this consent unless the Secretary agrees otherwise Within 3 months of commencing an Independent Environmental Audit, or unless otherwise agreed with 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, confirmed in writing.	
S4 C10	**ACCESS TO INFORMATION** The Applicant must: (a) make the following information publicly available on its website as relevant to the stage of the development: • 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 (b) keep this information up to date.	**Section 5.2**

APPENDIX 2 – PLANNING SECRETARY APPROVAL

Department of Planning, Housing and Infrastructure

Our ref: SSD-9820-PA-13

Alex Newton
Environment & Approvals Coordinator
Maxwell Ventures (Management) Pty Ltd
952 Thomas Mitchell Drive
Muswellbrook, NSW, 2333

25/03/2026

Subject: Maxwell Solar – Environmental Management Strategy

Dear Mr. Newton

I refer to your submission, requesting review and approval of the revised Environmental Management Strategy in accordance with Schedule 4, Condition 1 of the Development Consent for Maxwell Solar (SSD-9820).

I understand the minor revision has been made to address one of the recommendations from the November 2025 Independent Environmental Audit of Maxwell Solar (refer to Post Approval Task SSD-9820-PA-12).

Accordingly, as nominee of the Planning Secretary, I approve the revised < Environmental Management Strategy (Revision 2, date 5 March 2026).

Please ensure you make the document publicly available on the project website at the earliest convenience.

If you wish to discuss the matter further, please contact wayne Jones on (02) 6575 3406.

Yours sincerely

Iwan Davies
Director
Energy Assessments

As nominee of the Planning Secretary

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