

Major Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

I, the Minister for Planning approve under s.75J of the *Environmental Planning and Assessment Act 1979* the Project referred to in Schedule 1, subject to the conditions in Schedule 2.

A large, stylized handwritten signature in black ink, likely belonging to Frank Sartor, Minister for Planning.

Frank Sartor MP
Minister for Planning

Dated this

19th

day of

Dec

2006

File S03/01284

SCHEDULE 1: DESCRIPTION OF THE WOLLAR TO WELLINGTON 330kV TRANSMISSION LINE

Application No: 06_0053

The Project is the Wollar to Wellington 330kV Transmission Line as described in the:

1. Environmental Impact Statement (EIS) for the Wollar to Wellington 330kV Transmission Line prepared by International Environmental Consultants Pty Ltd, dated August 2005 - later adopted as the Environmental Assessment (EA) under Part 3A of the Act; and as amended by
2. Submissions Report for the Wollar to Wellington 330kV Transmission Line prepared by TransGrid dated March 2006;
3. Statement of Commitments for the Wollar to Wellington 330kV Transmission Line prepared by TransGrid dated October 2006; and
4. Project Environmental Management Plan prepared by TransGrid October 2006.

SCHEDULE 2: CONDITIONS OF APPROVAL – WOLLAR TO WELLINGTON 330KV LINE

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DEFINITIONS AND ABBREVIATIONS

Term	Definition
Conditions of Approval	The Minister's Conditions of Approval for the Project.
CEMP	Construction Environmental Management Plan.
Construction	Includes all work in respect of the Project other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing site compounds (in locations meeting the criteria of the Conditions), or other activities determined by the EMR to have minimal environmental impact (e.g. minor access roads, minor adjustments to services/utilities, etc.).
DEC	Department of Environment and Conservation. Also includes the Environment Protection Authority and the National Parks and Wildlife Service.
Department, the	Department of Planning (DoP).
Director-General, the	Director-General of the Department (or delegate).
Director-General's Agreement	A written advice from the Director-General (or delegate).
Director-General's Approval	A written approval from the Director-General (or delegate). Where the Director-General's Approval is required under a Condition the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.
Director-General's Report	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
DNR	Department of Natural Resources.
Environmental Assessment (EA)	Means the Wollar-Wellington Environmental Impact Statement dated August 2005 prepared by International Environmental Consultants Pty Ltd.
EMR	Environmental Management Representative.
EP&A Act	Environmental Planning and Assessment Act.
Minister, the	Minister for Planning.
Operation	Means operation of the Project, but does not include commissioning trials of equipment or temporary use of parts of the Project during Construction.

Term	Definition
OEMP	Operation Environmental Management Plan.
Offsets Package	The package of measures highlighted within the Project Environmental Management Plan for environmental improvement.
Project Environmental Management Plan (PEMP)	Project Environmental Management Plan, dated October 2006 which, identifies all the environmental aspects and mitigation measures that will be employed arising from the construction, operation and maintenance of the line.
Project	The Project in Schedule 1 of this Approval.
Proponent	Means TransGrid
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Reasonable and Feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and nature and extent of potential improvements.
Statement of Commitments (SoC)	TransGrid Wollar to Wellington 330kV Transmission Line Statement of Commitments dated 31 October 2006.
Submissions Report	Means the <i>Wollar to Wellington 330kV Transmission Line Submissions Report</i> prepared by TransGrid (March 2006).
Sensitive Receiver	Residence, education institution (e.g. school, TAFE college), health care facility (e.g. nursing home, hospital) and religious facility (e.g. church).
Stages	Stages refers to the: • division of an Project into multiple contract packages; and/or • Construction or Operation of a Project in discrete sections.
Structure	Residence, farm shed or other building.

DEFERRED COMMENCEMENT

1. Prior to the commencement of construction, the Proponent is to submit a report to the Director-General detailing the outcomes of the investigations into non-network alternatives (such as embedded generation) which may defer the construction of the proposed Wollar to Wellington Transmission Line. The report should include details of cost, timing and the capacity for these alternatives to address both customer expectations and network reliability criteria for the western region. Construction may not commence until the report demonstrates, to the Director General's satisfaction, that reasonable and feasible alternatives have been considered that would enable the reliability criteria for the western region to be met and the Wollar to Wellington Transmission line is an appropriate option to meet such.

LAPSING OF APPROVAL

2. This approval lapses five (5) years from the date of approval unless construction has physically commenced by that date.

ADMINISTRATIVE CONDITIONS

The Project

3. The Project must be carried out consistent with:
 - the procedures, safeguards and mitigation measures identified in the Environmental Assessment, as modified by the Submissions Report;
 - the Statement of Commitments;
 - the Project Environmental Management Plan and;
 - these conditions.
4. These Conditions prevail in the event of any inconsistency with the requirements for the Construction and Operation of the Project arising out of the documents described in condition 3 (a) to (c) above.

These Conditions of Approval do not relieve the Proponent of its obligations under any other Act.

5. It is the responsibility of the Proponent to ensure compliance with all of these Conditions and to implement any measures arising from these Conditions of Approval, Statement of Commitments and the Project Environmental Management Plan.
6. The Proponent must bring to the Director-General's attention any matter that may require further assessment by the Director-General.
7. The Proponent must comply with any requirements of the Director-General arising from the Department's assessment of:

- a) any reports, plans or correspondence that are submitted to satisfy these Conditions of Approval; and
- b) the implementation of any actions or measures contained in such reports, plans or correspondence.

Environmental Management Representative

8. The Proponent must request the Director-General's Approval for the appointment of an Environmental Management Representative (EMR) at least eight weeks before Construction commences (or within any other time agreed to by the Director-General). In its request the Proponent must provide the following information:
 - a) qualifications and experience of the EMR including demonstration of compliance with relevant Australian Standards for environmental auditors;
 - b) authority and independence (from the Proponent or its contractors) of the EMR including details of the Proponent's internal reporting structure; and
 - c) resourcing of the EMR role.The EMR must be available:
 - i for sufficient time to undertake the EMR role.
 - ii at any other time requested by the Director-General;
 - iii during any Construction activities identified in the CEMP to require the EMR's attendance; and
 - iv for the duration of Construction.
9. The Director-General may at any time immediately revoke the approval of an EMR appointment by providing written notice to the Proponent. Interim arrangements for EMR responsibility following the revocation must be agreed in writing between the Director-General and the Proponent.
10. The EMR is authorised to :
 - a) consider and advise the Director-General and the Proponent on matters specified in the Conditions of Approval and compliance with such;
 - b) determine whether work falls within the definition of Construction where clarification is requested by the Proponent;
 - c) review the CEMP;
 - d) periodically monitor the Proponent's activities to evaluate compliance with the CEMP.
 - e) provide a written report to the Proponent of any non-compliance with the CEMP observed or identified by the EMR. Non compliance must be managed as identified in the CEMP;
 - f) issue a recommendation to the Proponent to stop work immediately if in the view of the EMR an unacceptable impact on the environment is occurring or is likely to occur. The stop work recommendation may be limited to specific activities causing an impact if the EMR can easily identify those activities. The EMR may also recommend that the Proponent initiate reasonable actions to avoid or minimise adverse impacts;

- g) review corrective and preventative actions to monitor the implementation of recommendations made from audits and site inspections;
- h) certify that minor revisions to the CEMP are consistent with the approved CEMP; and
- i) provide regular (as agreed with the Director-General) reports to the Director-General on matters relevant to carrying out the EMR role including notifying the Director-General of any stop work recommendations.

The EMR must immediately advise the Proponent and the Director-General of any incidents relevant to these Conditions resulting from Construction that were not dealt with expediently or adequately by the Proponent.

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

11. A Construction Environmental Management Plan (CEMP) must be prepared, before Construction commences, and implemented, in accordance with these Conditions of Approval and all relevant Acts and Regulations.

The CEMP must include, but is not limited to:

- a) management responsibilities. This must include the role of the EMR as specified in condition 8 of this approval;
- b) compliance reporting. This must include the requirements of condition 15 of this approval;
- c) a community consultation strategy;
- d) a soil and water management strategy;
- e) a dust/air quality management strategy;
- f) a noise and vibration management strategy;
- g) a flora and fauna management strategy;
- h) a weed management strategy;
- i) a visual impact management strategy;
- j) a heritage management strategy;
- k) a waste management strategy;
- l) a traffic and transportation management strategy; and
- m) provisions to rectify property damaged by construction works.

The CEMP must be consistent with, and incorporate the construction stage matters included within the PEMP.

The CEMP must be reviewed by the EMR. Construction may not commence until the EMR has certified that the CEMP is consistent with this Condition of Approval. The EMR must bring to the Director-General's attention any shortcomings in the CEMP.

In addition, the CEMP must

- a) be made Publicly Available, prior to the commencement of construction, and
- b) be provided to the Department, other relevant government Departments and Councils prior to the commencement of construction.

Any minor revisions to the CEMP must be certified by the EMR as being consistent with this Condition of Approval. Any revisions which are inconsistent with this Condition of Approval must be submitted to the Director-General for approval.

OPERATION ENVIRONMENTAL MANAGEMENT PLAN (OEMP)

12. An *Operation Environmental Management Plan* (OEMP) must be prepared, before operation commences, and implemented, in accordance with these Conditions of Approval and all relevant Acts and Regulations. The OEMP must be consistent with those operation stage measures identified in the Project Environmental Management Plan.

The OEMP must include but is not limited to:

- a) track and access maintenance protocols;
- b) easement clearing and maintenance standards;
- c) impacts on flora and fauna from operation and periodic clearing;
- e) weed management protocols;
- f) management of indigenous sites; and
- g) auditing of activities.

The OEMP must be reviewed by the EMR and submitted to the Director-General for approval at least 4 weeks before commencement of operation unless otherwise agreed by the Director-General. The EMR must bring to the Director-General's attention any shortcomings in the OEMP.

In addition, the OEMP must

- a) be made Publicly Available, prior to the commencement of operation, and
- b) be provided to the Department, other relevant government Departments and Councils prior to the commencement of operation.

Any revisions which are inconsistent with this Condition of Approval must be submitted to the Director-General for approval.

AUDITING

Construction Compliance Reports

13. The Proponent must provide the Director-General, Wellington and Mid-Western Regional Councils, and any other relevant government departments nominated by the Director-General with Construction Compliance Reports. The EMR must review the Construction Compliance Reports before they are submitted to the Director-General and bring to the Director-General's attention any shortcomings.

The first *Construction Compliance Report* must report on the first six months of construction and be submitted a maximum six weeks after expiry of that period. The second, and subsequent, Construction Compliance Reports must be submitted at maximum intervals of

six months from the date of submission of the first Construction Compliance Report (or at any other time interval agreed to by the Director-General) for the duration of Construction.

The Construction Compliance Reports must include information on:

- a) compliance with the CEMP, Statement of Commitments and the Conditions of Approval;
- b) compliance with any approvals or licences issued by relevant government departments and/or Wellington and Mid-Western Regional Councils for the Construction phase of the Project;
- c) the implementation and effectiveness of environmental controls. The assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the CEMP;
- d) any results of environmental monitoring, presented as a summary and analysis;
- e) the number and details of any complaints, including a summary of main areas of complaint, action taken, response given and intended strategies to reduce recurring complaints;
- f) details of any review and amendments to the CEMP resulting from Construction during the reporting period; and
- g) any other matter relating to compliance with the Conditions of Approval or as requested by the Director-General.

The Construction Compliance Reports must also be made Publicly Available.

Environmental Impact Audit Report - Construction

14. An *Environmental Impact Audit Report - Construction* must be prepared and submitted to the Director-General a maximum three months after the Project begins Operation (or at any other time interval agreed to by the Director-General). The *Environmental Impact Audit Report – Construction* must also be submitted to Wellington and Mid-Western Regional Councils and other government departments upon the request of the Director-General.

The *Environmental Impact Audit Report – Construction* must:

- a) identify the major environmental controls used during Construction and assess their effectiveness;
- b) summarise the main environmental management plans and processes implemented during Construction and assess their effectiveness;
- c) identify any innovations in Construction methodology used to improve environmental management; and
- d) discuss the lessons learnt during Construction, including recommendations for future projects.

FLORA AND FAUNA OFFSETS

15. As part of the package to offset the clearing of native vegetation including Endangered Ecological Communities, the Proponent is required to purchase the 130 hectare property contiguous with Wollemi National Park, as identified by the DEC and specified in item 18 of the Statement of Commitments, and transfer it into the National Parks Estate, prior to the commencement of construction, unless otherwise agreed by the Director-General. In the event that this property is unable to be purchased (because it is not for sale), the Proponent must purchase a property of similar ecological value, as agreed by the Director-General of DEC, and subject to a time frame agreed by the Director-General. As part of the offsets package, the Proponent must also provide \$90,000 in additional funding to an extension of the GreenGrid project, being undertaken in partnership with Greening Australia. Details of the offsets package are to be outlined in the Flora and Fauna Management Strategy.

VISUAL IMPACT MANAGEMENT STRATEGY

16. The Proponent shall make available advanced locally occurring native plantings for all residents along the transmission line easement, at their request, so as to provide screening to properties on private land.

MISCELLANEOUS

17. The Proponent must identify if there are any additional utilities and services other than Telstra lines (hereafter "services") potentially affected by Construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the project are minimised and advised to customers.
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