



Department of
Infrastructure, Planning and Natural Resources

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Our Ref: S03/01284
Your Ref:

Dear Mr Laister

Proposed Wollar – Wellington Transmission Line

Thank you for your letter of 27 January 2004 seeking consultation with the Director-General for the preparation of an Environmental Impact Statement (EIS) for the above proposed development.

Attachment No. 1 outlines the statutory matters that must be included in any EIS under clauses 229 and 230 of the *Environmental Planning and Assessment Regulation 2000* (the *Regulation*). Attachment No. 1 also identifies requirements for seeking approval from the Minister for Infrastructure and Planning under Division 4 of Part 5 of the *Environmental Planning and Assessment Act* (EP&A Act).

Under clause 231 of the *Regulation*, the Director-General requires the EIS to specifically address the issues listed below. You should note however, that clause 231(e) of the *Regulation* requires you to re-consult the Director-General in relation to the preparation of the EIS if the EIS is not exhibited within two years of the date of this letter.

Specific Issues

Project Justification

- Need for the proposal, taking into consideration current and future energy demands in the areas to be serviced and existing system deficiencies and supply reliability issues (including identification of appropriate reliability standard) and alternatives;
- Relationship of the proposal within broader energy demand management and alternative energy opportunities. Consideration should be given to:
 - MEU NSW Code of Practice - Demand Management for Electricity Distributors (2001);
 - most up to date NEMMCO Statement of System Opportunities;
 - most up to date NSW Annual Planning Report (TransGrid);
 - Review of arrangements for development of the electricity network Report to Minister for Energy by an inter-governmental working group, June 2001;
- Implementation of any measures, as part of the proposal, to manage demand and greenhouse gas emissions. Consideration should be given to the greenhouse benchmarks scheme under the Electricity Supply Act;
- Relationship of the proposal with the existing transmission line network and with any anticipated or planned future expansion of the regional electricity distribution network; and
- Comprehensive assessment of feasible options for the transmission line (including undergrounding options and alternative alignments) and reasons for choosing the preferred option.

Environmental Planning Instruments and Policies

- Consistency with relevant State and Commonwealth policies, including the National Electricity Code;
- Consideration of relevant provisions of the Merriwa Local Environmental Plan (1992), Mudgee Local Environmental Plan (1998), Wellington Local Environmental Plan (1995), Hunter Regional Environmental Plan (1989), State Environmental Planning Policy 44 – Koala Habitat Protection, State Environmental Planning Policy 55 – Remediation of Land, and draft Mudgee Shire Sustainable Development Strategy 2003;
- Consideration of the “Siding Spring Observatory Dark Skies Region” and any relevant impacts resulting from the proposal;

- Consideration of the relevant provisions of the Central West Catchment Blueprint, Rivers and Foreshores Improvement Act, 1948/Water Management Act 2000, NSW River and Estuaries Policy and Native Vegetation Conservation Act, 1997/Native Vegetation Act 2003 and "Soil and Landscape Issues in Environmental Impact Assessment", DLWC Technical Report No. 34.

Project Description

- Detailed description of the existing environment along the proposed route alignment including topography, drainage, geology, vegetation, soils, and existing and proposed land uses;
- Detailed description of the proposed scheme (clearly identifying the corridor and likely route alignment on maps), including:
 - associated switchstations and all required ancillary infrastructure, access tracks and maintenance requirements;
 - transmission lines in the vicinity of the proposed route; and
 - urban and rural residential development located in the vicinity of the proposed route;
- Construction timing, methods and impacts for the proposed new lines. These should include consideration of noise, air quality, drainage and surface flow, erosion and sediment control, waste soil and rock disposal, groundwater, water quality, flooding, vegetation clearing and management, fauna and flora habitat, weeds and pests, fire risk, and cultural heritage; and
- Outline of an Environmental Management Plan (EMP) with specific reference to both construction and operation of the proposal. Monitoring, auditing and reporting procedures should also be described;

Ecological Impacts

- Means of ensuring sound riparian outcomes for any works within 40 m of any watercourse, through demonstrated consistency with the requirements of the Rivers and Foreshores Improvement Act/Water Management Act (and any need for approval under the latter Act) and principles of NSW River and Estuaries Policy;
- If vegetation clearance is required, the means of ensuring sound native vegetation management outcomes and rehabilitation of disturbed sites. Consistency with principles of the Native Vegetation Conservation Act/Native Vegetation Act (and any need for approval under the former Act);
- Assessment of soil erosion, sedimentation and land degradation issues, consistent with the Soil Conservation Act. Outline of mitigation measures, including an Integrated Soil and Water Management Plan;
- Assessment of any soil and groundwater salinity issues, and need for any special measures to ensure no exacerbation of salinity, nor adverse impacts on the proposed infrastructure;
- An assessment of the impact on flora and fauna, particularly critical habitats; threatened species, populations, ecological communities, and their habitats, with particular reference to koala populations¹. The assessment should involve the following steps:
 - i) conduct baseline surveys, and consult relevant databases and listings by the Scientific Committee;
 - ii) identify any applicable *assessment guidelines* issued and in force under Section 94A of the *Threatened Species Conservation Act 1995* or, subject to Section 5C of the EP&A Act, Section 220ZZA of the *Fisheries Management Act 1994*;²
 - iii) describe the types and condition of habitats in, and adjacent to, the land to be affected by the proposal;
 - iv) prepare a list of species and ecological communities that were recorded in the study area and adjacent areas. Also identify which threatened species, populations and ecological communities are likely to occur based on the presence of suitable habitat and/or previous sightings;
 - v) apply an Assessment of Significance (under section 5A of the EP&A Act) to each threatened species, population or ecological community, or their habitats, that may be affected by the

¹ Environmentally sound practice requires the proposal to be modified, if possible, to avoid a significant effect on threatened species, populations, and ecological communities or their habitats.

² On 2 October 2002 the *Threatened Species Conservation Amendment Act 2002* was assented to. It is anticipated the Act will commence progressively. The reference to *assessment guidelines* reflects the provisions of the new Act. It is anticipated that the provisions dealing with the guidelines will commence in late 2004.

- proposal. The EIS must justify any decision to not apply the test to all of the threatened species, populations or ecological communities identified in step iv);
- vi) prepare a Species Impact Statement for any critical habitats; threatened species, populations or ecological communities, or their habitats that are likely to be significantly affected by the proposal (note: An SIS must be prepared in accordance with any requirements of the Director-General of National Parks and Wildlife Service (now Department of Environment and Conservation) and/or Director of Fisheries).
 - Identification of sections of the route susceptible to natural hazards (such as wind, erosion, bushfire or flooding). Description of appropriate design features and/or management procedures to minimise hazard impacts; and
 - Quantified description of the expected greenhouse gas impacts. This should include construction impacts and the potential for the line to increase energy use and consequent greenhouse gas emissions. Any potential for the line to reduce transmission electrical losses should be identified.

Social and Economic Impacts

- Consideration of electric and magnetic fields, potential impacts on human, stock, flora and fauna and the means of minimising such impacts, consistent with results of current research and studies. A demonstration of compliance with 'prudent avoidance principles' should be provided;
- Assessment of the visual impact of the transmission line. This should include consideration of views from residential development and from Goulburn River National Park and Munghorn Gap Nature Reserve. Potential mitigation measures, such as the use of single poles, paint schemes, low reflection conductors etc should be considered;
- Identification and assessment of direct and indirect property impacts. Details should be provided for any land which may require acquisition or establishment of an easement;
- Consideration of the proposal's impact on current and future development. This should include proximity to rural residential properties of the Cadonia Estate, and options which may involve route realignment and undergrounding;
- Identification of other utilities that might be impacted by the proposal. Outline of mitigation measures;
- Identification of any airfields and flight paths that might be impacted by the proposal and outline any mitigation measures, as required;
- Outline of any impacts on land uses, including agriculture;
- Outline of any likely impacts on mineral resources/mining activity;
- Outline, if appropriate, likely impacts on the proposal from mine subsidence;
- Consideration of operational noise impacts including corona noise; and
- Description of appropriate mitigation measures for all identified impacts and assessment of their likely effectiveness.

The Department's draft EIS Guideline "Network Electricity Systems and Related Facilities" (Attachment 2) should also be consulted in the preparation of the EIS.

You should consult with Merriwa Shire Council, Mudgee Shire Council, Wellington Council and take into account any comments these councils may have in the preparation of the EIS. Please consult with the Ulan Coal Mine. Other bodies that you should consult with are the relevant rail authorities and owner/operators, Department of Mineral Resources, Roads and Traffic Authority, Department of Environment and Conservation (EPA and NPWS), Catchment Management Authority, NSW Agriculture, NSW Fisheries, NSW Heritage Office, Local Aboriginal Land Council(s), CountryEnergy and other utility operators. In addition, the NSW Department of Health (Environmental Health Branch) should be consulted about electric and magnetic fields. The EIS should also address other issues that emerge from consultations with relevant local, State and Commonwealth government authorities, service providers and community groups.

Under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), approval of the Commonwealth Minister for the Environment is required for actions that may have a significant impact on matters of National Environmental Significance, except in circumstances which are set out in the EPBC Act. Approval from the Commonwealth is in addition to any approvals under the NSW legislation. If you need approval under the Commonwealth Act, your EIS will be expected to assess the impacts on these matters.

Please contact Jacqueline Ingham on (02) 9762 8129 should you have any queries on this matter.

Yours sincerely

Signed and issued 4 March 2004

Mark Hather
Director

Major Infrastructure Assessment
As delegate for the Director-General

Note: Matters of National Environmental significance under the EPBC Act are:

- i. World Heritage properties
- ii. RAMSAR wetlands
- iii. threatened species or ecological communities listed in the EPBC Act
- iv. migratory species listed in the EPBC Act
- v. the environment in a Commonwealth marine area
- vi. nuclear actions
- vii. national heritage