



# HumeLink

Appendix C Updated statutory compliance table



## Appendix C Updated statutory compliance table

In accordance with the *State significant development guidelines – preparing an amendment report Appendix D* (DPIE, October 2022) this appendix provides an updated statutory compliance table for the amended project.

### C.1 Objects of the *Environmental Planning and Assessment Act 1979*

Consideration of the amended project against the objects of the EP&A Act is provided in Table .

Table C-1 - Consideration of the objects of the EP&A Act

Object	Consideration
a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	<p>The amended project has considered impacts to the community and social and economic impacts of the project have been assessed (refer to Chapter 13 (Social) and Chapter 12 (Economic) of the EIS and Chapter 6 (Assessment of impacts) of the Amendment Report).</p> <p>Overall, the operation of the amended project would deliver a more reliable and more sustainable electricity grid by increasing the amount of renewable energy that can be delivered across the electricity grid, helping Australia transition to a low carbon future. This would provide NSW households with greater access to reliable and affordable electricity.</p> <p>As discussed in Chapter 2 (Strategic context and project need) of the EIS and Chapter 7 (Justification) of the Amendment Report, the amendments made to the preferred corridor have aimed to best meet the project objectives having regard to avoiding and minimising the impacts on the environment.</p> <p>Mitigation measures (refer to Appendix B (Updated mitigation measures)) would seek to further avoid and minimise environmental, social and economic impacts of the amended project where possible.</p>
b. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	<p>The principles of ecologically sustainable development have been considered in the planning and development of the amended project. Further details are provided in Chapter 27 (Project justification and evaluation) and Chapter 24 (Sustainability) of the EIS and Chapter 7 (Justification and conclusion) of the Amendment Report.</p> <p>Importantly, HumeLink would be consistent with the Commonwealth Government's climate change initiatives in facilitating the longer-term transition of the energy sector to low-emission energy sources (refer to Chapter 2 (Strategic context and project need) of the EIS).</p>
c. to promote the orderly and economic use and development of land,	<p>The amended project would promote the orderly and economic use and development of land by improving transfer of renewable energy and enhancing the region's capability as a hub for renewable energy.</p> <p>Consultation with affected landowners and other key stakeholders has enabled their views, operating practices and use of land to be considered in the route option selection and refinement process to develop the amended project. The amended project would minimise impacts on land use where possible.</p> <p>The transmission line easement may restrict certain agricultural activities and/or require different farming methodologies to be adopted. However, the overall impact on existing agricultural activities is expected to be relatively small and would have a minor effect on productivity, particularly as grazing and other agricultural activities would typically be able to continue within the future transmission line easements.</p> <p>Mitigation measures have been identified that would further minimise impacts to land uses along the transmission line route.</p>
d. to promote the delivery and maintenance of affordable housing	<p>The amended project would not affect the delivery and maintenance of affordable housing.</p>

Object	Consideration
<p>e. to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</p>	<p>The amended project route option selection process considered a range of constraints to avoid and/or minimise the impacts on the environment (refer to Chapter 2 (Strategic context and project need) and Appendix E (Options Report) of the EIS), with a particular focus on the avoidance or impact minimisation of important biodiversity values.</p> <p>These constraints included a range of ecological factors such as ecological conservation areas, waterway crossings, forested areas and wetlands. The impacts on biodiversity have been assessed in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> in accordance with the Biodiversity Assessment Method. The assessment found that while the amended project has been refined to avoid and minimise impacts to biodiversity values where practicable, direct impacts are expected to a number of native plant community types and threatened species and their habitats identified under the BC Act and EPBC Act. These impacts would primarily be attributed to the removal of vegetation and threatened ecological communities within the amended project footprint. Only minor impacts associated with other biodiversity impacts are expected (such as impacts to water quality). Measures to minimise impacts to native vegetation and threatened species include the implementation of a Biodiversity Management Plan.</p> <p>The Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) determined the project to be a controlled action under the EPBC Act. The assessment on the relevant Matters of National Environmental Significance (MNES) found that the project has potential to lead to a significant impact on TECs, threatened species (and/or their habitats) and migratory species under the EPBC Act (refer to Table for further consideration of EPBC Act requirements). <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> provides further assessment on potential impacts on MNES and recommends mitigation measures to avoid or minimise these impacts. During finalisation of the amended project design, opportunities to further avoid or minimise impacts would be investigated.</p> <p>Further mitigation measures have also been identified to manage any such impacts, and an offsets strategy would be implemented to address the residual impacts of the amended project on biodiversity.</p>
<p>f. to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</p>	<p>The impacts on Aboriginal and historic heritage have been assessed (refer to Chapter 9 (Aboriginal heritage) and Chapter 10 (Non-Aboriginal heritage) of the EIS and Chapter 6.3 (Aboriginal heritage) and Chapter 6.4 (Non-Aboriginal heritage) of the Amendment Report, <i>Technical Report 2 – Revised Aboriginal Cultural Heritage Assessment Report</i>, <i>Technical Report 3 – Historic Heritage Impact Assessment</i> and <i>Technical Report 3 – Historic Heritage Impact Assessment Addendum</i>).</p> <p>The amended project has been designed to avoid impacts on heritage items where possible. A number of non-Aboriginal heritage sites/items have been identified within or close to the amended project footprint. Impacts to all items/sites would be negligible.</p> <p>The amended project has the potential to directly impact Aboriginal sites and potential archaeological deposits (PADs) generally of low to moderate significance. Opportunities to further avoid or minimise these impacts through micro-siting new transmission line structures, brake and winch sites and access tracks would be considered during detailed design, where practicable. Where impacts cannot be avoided, a range of mitigation and management measures would be implemented in consultation with Registered Aboriginal Parties (RAPs).</p>
<p>g. to promote good design and amenity of the built environment,</p>	<p>There would be impacts on the amenity of the built environment as a result of construction and/or operational impacts, including noise, air (dust) and visual amenity. These impacts would be minimised through the mitigation measures summarised in Appendix B (Updated mitigation measures). Permanent infrastructure would be designed and operated in accordance with Transgrid's public safety and technical requirements.</p>
<p>h. to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</p>	<p>The design, construction and maintenance of any buildings (including substation work) would be carried out in accordance with applicable standards and the construction contractors or Transgrid's management systems as applicable. The health and safety of workers would also be managed in accordance with the contractors or Transgrid's management systems as applicable.</p>

Object	Consideration
<p>i to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</p>	<p>Transgrid is seeking approval for the amended project under Division 5.2, Part 5 of the EP&amp;A Act.</p> <p>The amended project will be assessed under the Assessment bilateral agreement process between the Commonwealth and NSW Governments. Therefore, a single EIS and Amendment Report has been prepared to address the requirements set out by the NSW Department of Planning, Housing and Infrastructure (DPHI) (formerly the NSW Department of Planning and Environment (DPE)) and Commonwealth DCCEEW.</p> <p>Consultation completed to date is outlined in Chapter 6 (Engagement) of the EIS and Chapter 5 (Engagement) of the Amendment Report. This has included engagement with relevant Commonwealth, NSW and local government agencies, the Energy Regulator/Operator and relevant Members of Parliament. Ongoing consultation will occur during the construction of the amended project.</p>
<p>j. to provide increased opportunity for community participation in environmental planning and assessment</p>	<p>Community and stakeholder consultation for the project commenced in early 2020 and is ongoing and will continue throughout construction of the amended project. Consultation completed to date is outlined Chapter 5 (Engagement) of the EIS and Chapter 5 (Engagement) and Appendix D (Community Engagement Report) of the Amendment Report.</p> <p>The EIS was placed on public exhibition for a period of 42 days, commencing 30 August 2023 and concluding 10 October 2023. During this time, stakeholders and the community had the opportunity to review and make comment via submission to DPHI. Transgrid has also prepared a Submissions Report that responds to comments and feedback on the EIS.</p> <p>This process has provided opportunity for community participation in the planning and assessment process for this project.</p>

## C.2 Environmental Planning and Assessment Regulation 2021 checklist

How the EIS has addressed the form and contents requirements for an Environmental Impact Statement as required under the Environmental Planning and Assessment Regulation 2021 is provided in Table .

As summarised in Table C-2, the EIS addressed the form and content requirements for an Environmental Impact Statement as required under sections 190 and 192 of the Environmental Planning and Assessment Regulation 2021. To the extent that any of these matters are proposed to be amended via the Amendment Report, this is addressed in Chapter 6 (Assessment of impacts) of the Amendment Report. Commentary as to the Amendment Report’s compliance with section 179 of the Environmental Planning and Assessment Regulation 2021 is addressed in Chapter 4 (Statutory context) of the Amendment Report.

Table C-2 Requirements of section 190 and 192 of Part 8 Division 5 of the Environmental Planning and Assessment Regulation 2021

Requirement	Where addressed in the EIS
<b>190. Form of environmental impact statement</b>	
<b>(1) An environmental impact statement must contain the following information</b>	
(a) the name, address and professional qualifications of the person who prepared the statement,	Certification page at the front of the EIS
(b) the name and address of the responsible person	Certification page at the front of the EIS
(c) the address of the land (i) to which the development application relates, or (ii) on which the activity or infrastructure to which the statement relates will be carried out,	Certification page at the front of the EIS
(d) a description of the development, activity or infrastructure,	Chapter 3 (Project description – infrastructure and operation) Chapter 4 (Project description – construction)
(e) an assessment by the person who prepared the statement of the environmental impact of the development, activity or infrastructure, dealing with the matters referred to in this Division	Chapter 8 (Biodiversity) Chapter 9 (Aboriginal heritage) Chapter 10 (Non-Aboriginal heritage) Chapter 11 (Land use and property) Chapter 12 (Economic) Chapter 13 (Social) Chapter 14 (Landscape character and visual amenity) Chapter 15 (Noise and vibration) Chapter 16 (Soils, geology and contamination) Chapter 17 (Surface water and groundwater quality) Chapter 18 (Hydrology and flooding) Chapter 19 (Hazards and risks) Chapter 20 (Traffic, transport and access) Chapter 21 (Air quality) Chapter 22 (Climate change and greenhouse gas) Chapter 23 (Waste) Chapter 25 (Cumulative impacts) Chapter 26 (Environmental management) The corresponding technical reports appended to the EIS.
<b>(2) The person preparing the statement must have regard to</b>	
(a) for State significant development—the State Significant Development Guidelines, or	This EIS has been prepared having regard to the <i>State Significant Infrastructure Guidelines – preparing an Environmental Impact Statement</i> (Appendix B, DPE November 2022), which addresses the information required under the <i>Registered Environmental Assessment Practitioner Guidelines</i> (DPIE, 2021).
(b) for State significant infrastructure—the State Significant Infrastructure Guidelines.	

Requirement	Where addressed in the EIS
<b>(3) An environmental impact statement must also contain a declaration by a relevant person that</b>	
(a) the statement has been prepared in accordance with this Regulation, and	Certification page at the front of this EIS
(b) the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure, and	
(c) the information contained in the statement is not false or misleading, and	
(d) for State significant development or State significant infrastructure—the statement contains the information required under the <i>Registered Environmental Assessment Practitioner Guidelines</i>	This EIS has been prepared having regard to the <i>State Significant Infrastructure Guidelines – preparing an Environmental Impact Statement</i> (Appendix B, DPE November 2022).
<b>192. Contents of the environmental impact statement</b>	
<b>An environmental impact statement must also include each of the following:</b>	
(a) a summary of the environmental impact statement	EIS Summary Report
(b) a statement of the objectives of the development, activity or infrastructure	Chapter 1 (Introduction)
(c) an analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure,	Chapter 2 (Strategic context and project need) Appendix E (Options Report)
(d) an analysis of the development, activity or infrastructure, including:	
(i) a full description of the development, activity or infrastructure, and	Chapter 3 (Project description - infrastructure and operation) Chapter 4 (Project description – construction)
(ii) a general description of the environment likely to be affected by the development, activity or infrastructure, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and	Chapter 1 (Introduction) Chapter 3 (Project description - infrastructure and operation) Chapter 4 (Project description – construction) Chapter 8 (Biodiversity) Chapter 9 (Aboriginal heritage) Chapter 10 (Non-Aboriginal heritage) Chapter 11 (Land use and property) Chapter 12 (Economic) Chapter 13 (Social) Chapter 14 (Landscape character and visual amenity) Chapter 15 (Noise and vibration) Chapter 16 (Soils, geology and contamination) Chapter 17 (Surface water and groundwater quality) Chapter 18 (Hydrology and flooding) Chapter 19 (Hazards and risks) Chapter 20 (Traffic, transport and access) Chapter 21 (Air quality) Chapter 22 (Climate change and greenhouse gas)

Requirement	Where addressed in the EIS
	Chapter 23 (Waste) Chapter 25 (Cumulative impacts) The technical reports appended to the EIS.
(iii) the likely impact on the environment of the development, activity or infrastructure, and	Chapter 8 (Biodiversity) Chapter 9 (Aboriginal heritage) Chapter 10 (Non-Aboriginal heritage) Chapter 11 (Land use and property) Chapter 12 (Economic) Chapter 13 (Social) Chapter 14 (Landscape character and visual amenity) Chapter 15 (Noise and vibration) Chapter 16 (Soils, geology and contamination) Chapter 17 (Surface water and groundwater quality) Chapter 18 (Hydrology and flooding) Chapter 19 (Hazards and risks) Chapter 20 (Traffic, transport and access) Chapter 21 (Air quality) Chapter 22 (Climate change and greenhouse gas) Chapter 23 (Waste) Chapter 25 (Cumulative impacts) The technical reports appended to the EIS.
(iv) a full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and	Chapter 8 (Biodiversity) Chapter 9 (Aboriginal heritage) Chapter 10 (Non-Aboriginal heritage) Chapter 11 (Land use and property) Chapter 12 (Economic) Chapter 13 (Social) Chapter 14 (Landscape character and visual amenity) Chapter 15 (Noise and vibration) Chapter 16 (Soils, geology and contamination) Chapter 17 (Surface water and groundwater quality) Chapter 18 (Hydrology and flooding) Chapter 19 (Hazards and risks) Chapter 20 (Traffic, transport and access) Chapter 21 (Air quality) Chapter 22 (Climate change and greenhouse gas) Chapter 23 (Waste) Chapter 24 (Sustainability) Chapter 25 (Cumulative impacts) Chapter 26 (Environmental management) Appendix D (Mitigation measures)
(v) a list of the <u>approvals</u> that must be obtained under another Act or law before the development, activity or infrastructure may lawfully be carried out,	Chapter 5 (Statutory context)
(e) a compilation (in a single section of the environmental impact statement) of the measures referred to in item (d) (iv),	Appendix D (Mitigation measures)

Requirement	Where addressed in the EIS
(f) the reasons justifying the carrying out of the development, activity or infrastructure in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development set out in section 193.	Chapter 27 (Project justification and evaluation)

### C.3 Consideration of the *Environment Protection and Biodiversity Conservation Act 1999*

The EPBC Act is the Commonwealth Government's key piece of environmental legislation. It enables the Commonwealth Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. The EPBC Act focuses Commonwealth Government interests on the protection of matters of national environmental significance, with the states and territories having responsibility for matters of state and local significance. Key parts of the EPBC Act that are relevant to the amended project are:

- Part 3 – requirements for environmental approvals
- Part 5 – bilateral agreements
- Part 7 – whether an approval is needed
- Part 8 – assessing the impacts of a controlled action
- Part 9 – the approval of actions.

Part 3 of the EPBC Act provides for a referral to the Commonwealth Minister for the Environment and Water for a project that is likely to have a significant impact on the following:

- Matters of National Environmental Significance (MNES)
- an action by the Commonwealth or a Commonwealth agency which has, will have or is likely to have a significant impact on the environment
- an action which has, will have or is likely to have a significant impact on the environment on Commonwealth land, no matter where it is to be carried out.

These issues are considered in Table .

Table C-3 Consideration of EPBC Act requirements

MNES	Relevance to the amended project
World heritage properties	None
National heritage places	The amended project would have either a negligible impact or no direct impact, to two items on the National Heritage List (refer to <i>Technical Report 3 – Historic Heritage Impact Assessment Addendum</i> of the Amendment Report).
Wetlands of international importance	None
Commonwealth listed threatened species and ecological communities	The amended project has the potential to lead to impact on threatened ecological communities and threatened species and/or their habitats, as detailed in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> of the Amendment Report.



MNES	Relevance to the amended project
Commonwealth listed migratory species	The amended project has the potential to impact on migratory species, as detailed in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report of the Amendment Report</i> .
Nuclear action	None
Commonwealth marine area (including Great Barrier Reef Marine Park)	None
Protection of water resources from coal seam gas development and large coal mining	None
Action by the Commonwealth or a Commonwealth Agency	Not applicable
Action which has, will have or is likely to have a significant impact on the environment on Commonwealth land, no matter where it is to be carried out.	The amended project would not have a significant impact on the environment on Commonwealth land.

Based on the assessed potential impacts to the listed threatened species, a referral under the EPBC Act was submitted in March 2022. On 13 April 2022, Commonwealth DCCEEW confirmed the project would be a controlled action and subject to the assessment bilateral agreement under section 45 of the EPBC Act.

In accordance with Part 11, Division 1A of the EPBC Act and Division 5.4 of the Environment Protection and Biodiversity Conservation Regulations 2000, a proponent can request the Minister to accept a variation of the project from that described in the original referral (formally referred to as a request to vary the proposal to take an action). In accordance with this, a variation request was submitted to the Commonwealth DCCEEW.

The current assessment bilateral agreement provides for certain actions that are SSI to be accredited for the purposes of meeting the requirements for assessment and public exhibition of an action under the provisions of the EPBC Act.

The requirements to meet the assessment bilateral agreement have been included within the Supplementary SEARs provided Commonwealth DCCEEW and issued by the DPHI for the project (refer to Appendix A of the EIS).

## C.4 Approvals or authorisations that are not required or cannot be refused

In accordance with Section 5.23 (1) of the EP&A Act, the following authorisations are not required for approved SSI:

- a permit under Sections 201, 205 and 219 of the *Fisheries Management Act 1994* (FM Act)
- an approval under Part 4, or an excavation permit under Section 139 of the *Heritage Act 1977*
- an Aboriginal heritage impact permits under Section 90 of the *National Parks and Wildlife Act 1974* (NP&W Act)
- a bush fire safety authority under Section 100B of the *Rural Fires Act 1997*
- a water use approval under Section 89, water management work approval under Section 90, or an activity approval (other than an aquifer interference approval) under Section 91 of the *Water Management Act 2000*.

Section 5.23 (2) of the EP&A Act provides that:

- Division 8 of Part 6 of the *Heritage Act 1977* does not apply to prevent or interfere with the carrying out of approved SSI.

Section 5.23 (3) of the EP&A Act also specifies that the following directions, orders or notices cannot be made or given so as to prevent or interfere with the carrying out of approved Critical State Significant Infrastructure:

- an interim protection order (within the meaning of the NP&W Act)
- an order under Division 1 (Stop work orders) of Part 6A of the NP&W Act or Division 7 (Stop work orders) of Part 7A of the FM Act
- a remediation direction under Division 3 (Remediation directions) of Part 6A of the NP&W Act
- an order or direction under Part 11 (regulatory compliance mechanisms) of the *Biodiversity Conservation Act 2016*
- an environment protection notice under Chapter 4 of the *Protection of the Environment Operations Act 1997* (POEO Act)
- an order under section 124 of the *Local Government Act 1993*.

Section 5.24 of the EP&A Act identifies approvals or authorisations that cannot be refused if they are necessary for carrying out approved SSI and are to be substantially consistent with the approval. Of potential relevance to the amended project would be:

- an environment protection licences (EPLs) under Chapter 3 of the POEO Act
- a consent under Section 138 of the *Roads Act 1993* (refer to Table for the application of the *Roads Act 1993* relevant to the amended project).

With respect to EPLs, Schedule 1 of the POEO Act, does not define electricity transmissions lines or substations as a scheduled activity requiring an EPL.

Chapter 3 of the POEO Act details the types of EPLs that may be issued for scheduled activities. The following activities would be deemed to be scheduled activities that may trigger an EPL if the relevant limits are exceeded:

- cement or lime handling - under Clause 6 of Schedule 1 of the POEO Act, an EPL would be required if the amount of cement or lime handled (not including the production of pre-mixed concrete (concrete batching)) exceeds:
  - 150 tonnes of cement or lime per day, or
  - 30,000 tonnes of cement or lime per year
- crushing and screening - Clause 16(2) of Schedule 1 of the POEO Act deems this to be a scheduled activity that requires an EPL if the crushing and screening plant has the capacity to process:
  - more than 150 tonnes of materials per day, or
  - 30,000 tonnes of materials per year
- helicopter related activities – Clause 20(1) of Schedule 1 of the POEO Act deems this to be a scheduled activity that requires an EPL if:
  - the activity has an intended use of more than 30 flight movements per week (where take-off and landing are separate flight movements), and
  - the activity is conducted within one kilometre of a dwelling not associated with the landing, take-off or parking of helicopters.

An EPL may be required for the amended project based on the preliminary detailed design and indicative construction methodology. The need for an EPL is dependent on whether trigger levels are met for any of the Schedule 1 (POEO Act) activities listed above.

## C.5 Other NSW and Commonwealth legislation of potential relevance to the project

Table identifies other NSW and Commonwealth legislation of potential relevance to the amended project.

Table C-4 Other NSW and Commonwealth planning legislation of potential relevance to the amended project

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Aboriginal Land Rights Act 1983</i></p>	<p>The purpose of the <i>Aboriginal Land Rights Act 1983</i> includes providing for land rights for Aboriginal persons and representative Aboriginal Land Councils in the State. This Act applies to Crown lands that are not lawfully needed for an essential public purpose; referred to as claimable Crown land.</p> <p>This Act recognises and acknowledges the statutory role and responsibilities of NSWALC and Local Aboriginal Land Councils (LALCs). The amended project footprint extends across the boundaries of Wagga Wagga, Brungle/Tumut, Onerwal and Pejar LALCs. All LALCs within the amended project footprint, and Wagonga LALC, have been consulted during the assessment of the amended project.</p> <p>Searches of the Register of Aboriginal Land Claims were undertaken to identify any Crown land areas within the amended project footprint subject to an Aboriginal Land Claim. To date, the following Aboriginal Land Claims (ALC) have been identified as applicable to Crown land parcels within the amended project:</p> <ul style="list-style-type: none"> <li>• ALC 37091</li> <li>• ALC 37092</li> <li>• ALC37016</li> <li>• ALC 49377</li> <li>• ALC 10969 (blanket ALC)</li> <li>• ALC 38763</li> <li>• ALC 39736</li> <li>• ALC 39339</li> <li>• ALC 38760</li> <li>• ALC 39332</li> <li>• ALC 15057</li> <li>• ALC 37122</li> <li>• ALC 54805</li> <li>• ALC 37027</li> <li>• ALC 37032</li> <li>• ALC 9444</li> </ul> <p>Separately, Transgrid has not received search results in respect of the roads that form part of the project footprint. To the extent that any undetermined land claims remain, Transgrid will work with the relevant Local Aboriginal Land Council and NSW Aboriginal Land Council to reach an agreement to the extent that the project affects the claim.</p>
<p><i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (Commonwealth)</p>	<p>This Act provides for the protection of Aboriginal cultural property that are of particular significance to Aboriginal people in accordance with Aboriginal tradition and may apply to Aboriginal cultural property as well as to ancient sites.</p> <p>An Aboriginal and Cultural Heritage Report (ACHAR) has been prepared which identified that no declarations relevant to the amended project footprint have been made under the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>. Further details are provided in <i>Technical Report 2 – Revised Aboriginal Cultural Heritage Assessment Report</i> of the Amendment Report.</p>

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Biodiversity Conservation Act 2016</i> (BC Act) and Biodiversity Conservation Regulation 2017</p>	<p>This legislation establishes a framework for assessment and offsetting of biodiversity impacts as well as investment in biodiversity conservation.</p> <p>Under the BC Act, SSI projects are required to prepare a biodiversity development assessment report (BDAR) to identify and assess biodiversity impacts under the provisions of the BC Act and offset those impacts by retiring biodiversity credits, determined using the Biodiversity Assessment Methodology (BAM).</p> <p>A BDAR has been prepared for the amended project in accordance with the BAM under the BC Act.</p> <p>The BDAR concludes that the unavoidable impacts of the project on ecological values will necessitate a credit requirement, including both ecosystem credits and species credits, as detailed in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>.</p> <p>It also outlines the biodiversity offset credit liability for the project that has been calculated in accordance with the BAM to offset the unavoidable impacts of the project.</p> <p>Further details are provided in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>, and summarised in Chapter 6.2 (Biodiversity) of the Amendment Report.</p>
<p><i>Biosecurity Act 2015</i></p>	<p>The <i>Biosecurity Act 2015</i> provides for the prevention, elimination, minimisation and management of biosecurity risks in NSW posed by biosecurity matter. Under the <i>Biosecurity Act 2015</i>, weeds are defined as a plant that is a pest and a biosecurity risk exists where invasive weeds, termed priority weeds, have the potential to negatively impact on the environment. The <i>Biosecurity Act 2015</i> introduces a responsibility for landowners or land managers to control and prevent the introduction and spread of these priority weeds, which is to be known as a General Biosecurity Duty.</p> <p>No evidence of pathogens such as the root-rot fungus <i>Phytophthora cinnamomi</i>, Myrtle Rust (<i>Austropuccinia psidii</i>) and Chytrid Fungus (<i>Batrachochytrium dendrobatidis</i>) was recorded within the project footprint. Other potential biosecurity risks such as sheep lice, Ovine Johne’s Disease, and ovine footrot are expected to be low and would be manageable with the implementation of proven mitigation measures.</p> <p>High Threat Weeds, Priority weeds and Weeds of National Significance recorded within the project footprint include blackberry (<i>Rubus fruticosus</i>) and sweet briar (<i>Rosa rubiginosa</i>).</p> <p>Further details on the consideration of priority weeds and the duties under the <i>Biosecurity Act 2015</i> are provided in Chapter 11 (Land use and property) of the EIS and in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> of the Amendment Report.</p>
<p><i>Civil Aviation Regulation 1988</i> (Commonwealth) and Civil Aviation Safety Regulations 1998</p>	<p>These regulations establish controls and requirements with respect to airspace and aerial operations.</p> <p>The amended project footprint would be wholly contained within uncontrolled airspace and would be situated outside any Special Use Airspace that is reserved for military flying training operations. The amended project footprint is also outside the clearance zones associated with aviation navigation aids, radar systems and communication facilities. An infringement of OLS is expected at Wagga Wagga Airport. There would be no infringements of the PANS-OPS at Wagga Wagga Airport. No infringement of OLS and PANS-OPS at Goulburn or Tumut airports.</p> <p>The use of cranes, erection of transmission line structures, and increased use of drones and helicopters for the amended project (including for stringing of transmission lines) within the amended project footprint during construction may result in some risks to aerial operations such as applications of fertilisers and pesticides, aerial baiting in NPWS estate and emergency services operations. With the implementation of the proposed environmental management measures the amended project is unlikely to result in aviation risks.</p> <p>Further details are provided in Chapter 19 (Hazards and risks) and in <i>Technical Report 14 – Aviation Impact Statement</i> of the EIS, and Chapter 6.13 (Hazards and risks) of the Amendment Report.</p>

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Climate Change Act 2022</i> (Commonwealth)</p>	<p>The Act sets out emission reduction targets and establishes the Climate Change Authority. A GHG Management Plan would be prepared for the amended project to develop strategies to reduce GHG emissions in line with Transgrid's Science Based Targets initiatives and the Commonwealth emission reduction targets. Further details are provided in Chapter 22 (Climate change and greenhouse gas) of the EIS and Chapter 6.16 (Climate change and greenhouse gas) of the Amendment Report.</p>
<p><i>Contaminated Land Management Act 1997</i> (CLM Act)</p>	<p>The CLM Act outlines the circumstances in which notification of the NSW Environment Protection Authority (EPA) is required in relation to the contamination of land.</p> <p>A Phase 1 Contamination Assessment has been prepared for the project to inform the design and EIS process. This assessment identified some areas within the project footprint as Areas of Environmental Concern (AEC) with a moderate risk ranking for contamination to be present based on historic and present day land uses. This includes the Yass substation, which is a notified site currently under assessment under the CLM Act, and Yass Sewage Treatment Plant. Any potential impacts from encountering existing contamination within these areas or the potential for the project to inadvertently cause contamination would be minimised through the use of the environmental management measures detailed in Appendix B.</p> <p>Further details on the consideration of contamination are provided in Chapter 16 (Soils, geology and contamination) and in <i>Technical Report 10 - Phase 1 Contamination Assessment</i> of the EIS, and in <i>Technical Report 10 – Phase 1 Contamination Assessment Addendum</i> and Chapter 6.10 (Soils, geology and contamination) of the Amendment Report.</p>
<p><i>Crown Land Management Act 2016</i></p>	<p>The <i>Crown Land Management Act 2016</i> outlines the permissions and authorisations needed when planning the development of activities on Crown Land as well as the process for the acquisition of Crown Land.</p> <p>There are areas of Crown Land that would be affected by the project. A licence or easement will be separately sought for the construction and operation of the project over Crown Land.</p> <p>The largest impacted Crown land areas would be the Green Hills State Forest realignment, the part of Bago State Forest intersected by the project footprint, south-east to south-west of Batlow, and on the western shore of Pejar Dam. Other areas of Crown land intersected by the project footprint are far smaller, and are generally classified as grazing land uses or managed resource protection areas. Further details on impacts to Crown Land are provided in Chapter 11 (Land use and property) and <i>Technical Report 5 – Land Use and Property Impact Assessment</i> of the EIS, and in Chapter 6.5 (Land use and property) of the Amendment Report.</p>
<p><i>Dangerous Goods (Road and Rail Transport) Act 2008</i> and <i>Dangerous Goods (Road and Rail Transport) Regulation 2022</i></p>	<p>This Act regulates the transport of dangerous goods by road and rail in order to promote public safety and protect property and the environment.</p> <p>Based on the implementation of standard and proven management measures and adherence to relevant legislation, the risk associated with onsite storage, handling and transport of dangerous goods and hazardous materials would be considered negligible.</p> <p>Impacts to the amended project are consistent with the EIS, and further information is provided in Chapter 19 (Hazards and risks) of the EIS.</p>

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Electricity Supply Act 1995</i> (as amended by the <i>Energy Legislation Amendment Act 2021</i>)</p>	<p>Transgrid is a transmission operator and network operator under the <i>Electricity Supply Act 1995</i>. Under clause 45(1), for the purpose of exercising its functions under this or any other Act or law, a network operator may carry out any of the following work:</p> <ul style="list-style-type: none"> <li>(a) work comprising the erection, installation or extension of electricity works on public land,</li> <li>(b) work on any land comprising or connected with the alteration, maintenance or removal of existing electricity works on any land,</li> <li>(c) work on public land that is connected with the erection, installation, extension, alteration, maintenance or removal of electricity works on any land.</li> </ul> <p>However, in accordance with Clause 45(4) no such work (other than routine repairs or maintenance work) may be carried out unless:</p> <ul style="list-style-type: none"> <li>(a) notice of the project to carry out the work has been given to the local council, and</li> <li>(b) the local council has been given a reasonable opportunity (being not less than 40 days from the date on which the notice was given) to make submissions to the network operator in relation to the project, and</li> <li>(c) the network operator has given due consideration to any submissions so made.</li> </ul> <p>Transgrid have provided notification, via letters issued on 16 June 2023, to Wagga Wagga City Council, Snowy Valleys Council, Cootamundra-Gundagai Regional Council, Yass Valley Council and Upper Lachlan Shire Council, as required in accordance with this Act. This notification advised councils that submissions for the 'proposed activity' would be considered as part of the Submissions Report, which addresses submissions received during the public exhibition period of the EIS. The EIS was placed on public exhibition by DPHI for a period of 42 days, commencing 30 August 2023 and concluding 10 October 2023.</p> <p>In addition to the above LGAs, the amended project is located within Goulburn Mulwaree LGA and Transgrid will provide a notification to Goulburn Mulwaree Council in accordance with the <i>Electricity Supply Act 1995</i>.</p>
<p>Environmental Planning and Assessment Regulation 2021 (EP&amp;A Regulation)</p>	<p>The project is CSSI and subject to the relevant content and form provisions of the EP&amp;A Regulation. Consistency with the form and contents required by the EP&amp;A Regulation is provided in Table B-2 in Appendix B of the EIS.</p> <p>This Amendment Report has been prepared in accordance with Sections 179 (2) and 179(3) of the EP&amp;A Regulation. In accordance with clause 179(2) of the EP&amp;A Regulation, an application may, with the approval of the Planning Secretary, be amended at any time before the application is determined. Transgrid is proposing amendments and refinements to the project described in the EIS to reflect changes proposed as a result of further design and construction planning and in response to community and stakeholder feedback.</p> <p>An assessment of the project with regard to the principles of ESD is provided in Chapter 27 (Project justification and evaluation) of the EIS and Chapter 7 (Justification of amended project) of the Amendment Report.</p> <p>In accordance with s181 of the EP&amp;A Regulation, Transgrid as the proponent arranged for the project to be notified to landowners or advertised in the local newspaper. Chapter 6 (Engagement) of the EIS provides further details of existing publicly available information and what will be published during future stages of the project. Chapter 5 (Engagement) details Transgrid's engagement with stakeholders, landowners and the community on the amendments and refinements identified in the Amendment Report, and the engagement undertaken during and following public exhibition of the EIS.</p>
<p><i>Environmentally Hazardous Chemicals Act 1985</i></p>	<p>This Act is aimed at controlling the introduction, use and disposal of environmentally hazardous chemicals.</p> <p>The construction compounds and work sites would be arranged so that hazardous materials and chemicals are stored at a suitable distance from sensitive receivers and in accordance with supplier's instructions, Australian Standards, and relevant legislation.</p> <p>Further discussion is provided in Chapter 19 (Hazards and risks) of the EIS.</p>

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Fisheries Management Act 1994</i> (FM Act)</p>	<p>The FM Act provides for the identification, conservation and recovery of threatened fish, aquatic invertebrates and marine vegetation. One of the key objectives of the FM Act is to conserve fish stocks and key fish habitats.</p> <p>Part 7 of the FM Act establishes that a permit is generally required to dredge, reclaim, obstruct fish passage, harm marine vegetation, use explosives or electrical devices in a waterway that is classified as key fish habitat. The project would involve work within and near aquatic habitats however no net loss of key fish habitat is anticipated to occur as a result of the project. However, as CSSI, the project is exempt from the need to obtain permits under Sections 201, 205 and 219 of the FM Act.</p> <p>Notwithstanding, impacts from the project have been assessed and further details are provided in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>.</p>
<p><i>Forestry Act 2012</i> (as amended by the <i>Energy Legislation Amendment Act 2021</i>)</p>	<p>The forestry industry in NSW operates under the legal framework of the <i>Forestry Act 2012</i> (NSW). The <i>Forestry Act 2012</i> establishes the Forestry Corporation of NSW (FCNSW) as a State owned corporation to efficiently and effectively manage the environmentally sustainable supply of timber from relevant lands, as well as to contribute to regional development and conduct its activities in line with ecologically sustainable development principles.</p> <p>An easement for the transmission lines through three State forests would be by agreement with FCNSW via a Deed of Easement, or in accordance with the requirements of the <i>Land Acquisitions (Just Terms Compensation) Act 1991</i>.</p> <p>Further discussion is provided in <i>Technical Report 5 – Land Use and Property Assessment</i> of the EIS.</p>
<p><i>Heritage Act 1977</i> (Heritage Act)</p>	<p>The Heritage Council must be notified if a relic is uncovered during construction and if it is reasonable to believe that the Heritage Council is unaware of the location of the relic. The Heritage Council must also be notified if an item listed on a Government Agency's Section 170 Heritage Register is demolished.</p> <p>Section 139 specifies that a person must not disturb or excavate land knowing, or suspecting, that the action may result in the discovery, exposure, movement, damage or destruction of a relic, unless the work is undertaken in accordance with an excavation permit. Additionally, section 146 requires that the discovery or location of a relic must be notified to the Heritage Council unless the Heritage Council is aware of the relic's location.</p> <p>Under the SSI provisions for the project, exemptions and permits that would otherwise be required under Part 4 and section 139 of the Heritage Act are not required for approved SSI projects by reason of section 5.23 of the EP&amp;A Act.</p> <p>Notwithstanding, heritage impacts associated with the project have been assessed in accordance with the <i>Heritage Act 1977</i>. The results of this assessment are presented in <i>Technical Report 3 – Historic Heritage Impact Assessment</i> and Chapter 10 (Non-Aboriginal heritage) of the EIS, and in <i>Technical Report 3 – Historic Heritage Impact Assessment Addendum</i> and Chapter 6.4 (Non-Aboriginal heritage) of the Amendment Report.</p>
<p><i>Land Acquisition (Just Terms Compensation) Act 1991</i> (Land Acquisition Act)</p>	<p>This Act controls the acquisition of land on just terms by authorities of the State with the objective of simplifying and expediting the compulsory acquisition process while ensuring compensation on just terms for the owners of land that is acquired by an authority of the State when the land is not available for public sale.</p> <p>Transgrid is an authority of the State for the purposes of the Land Acquisition Act and the Act applies to the project. Further discussion of potential land acquisition associated with the project is discussed in Chapter 11 (Land use and property) of the EIS and Chapter 6.5 (Land use and property) of the Amendment Report.</p>



Legislation	Relevance to HumeLink and consideration of issues
<i>Local Land Services Act 2013</i>	<p>This Act establishes the Local Land Services (LLS) to manage programs and advisory services associated with agricultural production, biosecurity, natural resource management and emergency management and TSRs.</p> <p>Relevant matters are discussed in Chapter 11 (Land use and property), Chapter 19 (Hazards and risks) and <i>Technical Report 5 – Land Use and Property Impact Assessment</i> of the EIS, and in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> and Chapter 6 (Assessment of impacts) of the Amendment Report.</p>
<i>National Environment Protection Council Act 1994 (NEPC Act)</i>	<p>The National Environment Protection Council (NEPC) was established under the NEPC Act. The primary functions of the NEPC are to:</p> <ul style="list-style-type: none"> <li>• prepare National Environment Protection Measures (NEPMs)</li> <li>• assess and report on the implementation and effectiveness of the NEPMs in each state and territory.</li> </ul> <p>NEPMs are a special set of national objectives designed to assist in protecting or managing aspects of the environment eg air quality and waste.</p> <p>Relevant matters are discussed in Chapter 21 (Air quality) and Chapter 23 (Waste) of the EIS.</p>
<i>National Greenhouse and Energy Reporting Act 2007 (NGER Act) (Commonwealth)</i>	<p>The NGER Act established a single national framework for reporting and disseminating company information about GHG emissions, energy production, and energy consumption. A rule made under this Act and enacted in 2015 was to establish the Safeguard Mechanism, which operates in tandem with the ERF. Under the <i>National Greenhouse and Energy Reporting Scheme</i> (NGERS), emitters (as defined under the Safeguard Mechanism, discussed below) must report annually all Scope 1 and Scope 2 emissions, and results are presented on the Clean Energy Regulator website.</p> <p>Further details are provided in <i>Technical Report 18 – Greenhouse Gas Assessment</i> and Chapter 22 (Climate change and greenhouse gas) of the EIS, and in Chapter 6.16 (Climate change and greenhouse gas) of the Amendment Report.</p>
<i>National Parks and Wildlife Act 1974 (NP&amp;W Act)</i>	<p>The NP&amp;W Act provides for the control and management of all national parks, historic sites, nature reserves, wetlands and other state reserves.</p> <p>The project is situated near Tarlo River National Park, Minjary National Park, Mudjarn Nature Reserve, Bango Nature Reserve, Back Arm Nature Reserve and Kosciuszko National Park. The project footprint was refined to reduce impacts to biodiversity and avoid national parks.</p> <p>The NP&amp;W Act also provides for the protection of 'Aboriginal objects' and 'Aboriginal places' and makes it an offence to harm Aboriginal objects, places or sites without permission. Despite certain Aboriginal heritage approvals not being required, as per section 5.23 of the EP&amp;A Act, an Aboriginal cultural heritage assessment report (ACHAR) has been prepared for the project.</p> <p>The ACHAR identified 178 Aboriginal sites within the amended project footprint that may be directly or indirectly impacted by the project. These include twelve PADs, one modified tree/PAD, five modified trees and 11 test locations. The remaining 149 sites are stone artefact occurrences including artefact scatters and isolated finds. There are also nine cultural trees, six modified trees of non-Aboriginal origin, one cultural site and one charcoal occurrence that are not 'objects' as defined by the NPW Act. Further details are provided in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>, <i>Technical Report 2 – Revised Aboriginal Cultural Heritage Assessment Report</i>, Chapter 6.2 (Biodiversity) and Chapter 6.3 (Aboriginal heritage) of the Amendment Report.</p>
<i>Native Title (New South Wales) Act 1994 and Native Title Act 1993 (Commonwealth)</i>	<p>The <i>Native Title (New South Wales) Act 1994</i> provides for native title in relation to land or waters. The <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010</i> (DECCW, 2010) stipulates that, where relevant, consultation must be conducted with Native title holders or registered native title claimants in accordance with the <i>Native Title Act 1994</i>.</p>

Legislation	Relevance to HumeLink and consideration of issues
	<p>The Commonwealth <i>Native Title Act 1993</i> also recognises and protects native title. The Act covers actions affecting native title and the processes for determining whether native title exists and compensation for actions affecting native title. It establishes the Native Title Registrar, the National Native Title Tribunal, the Register of Native Title Claims and the Register of Indigenous Land Use Agreements, and the National Native Title Register. Under the Act, a future act includes proposed public infrastructure on land or waters that affects native title rights or interest.</p> <p>A search of the Native Title Tribunal Native Title Vision website was carried out in April 2024, and did not identify any Crown land areas within the amended project footprint as being the subject of a claim or determination under the <i>Native Title Act 1993</i>. Transgrid has not received search results in respect of roads that form part of the project footprint. Based on the searches undertaken to date, Transgrid do not anticipate that any of the Crown land areas that form part of the roads will be subject to a claim or determination under the <i>Native Title Act 1993</i>.</p> <p>In respect of areas of Crown land over which there has been no determination of native title, Transgrid will follow relevant procedures under the <i>Land Acquisition (Just Terms Compensation) Act 1991 (NSW)</i> and the <i>Native Title Act 1993</i> and having regard to applicable Indigenous Land Use Agreements, to enable the grant of the necessary interest in Crown lands required for the project. Further, to the extent that any roads are found to be subject to a claim or determination under the <i>Native Title Act 1993</i>, Transgrid will follow the relevant procedures under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> and the <i>Native Title Act 1993</i>.</p> <p>The Gundungurra Indigenous Land Use Agreement (ILUA) is located at the eastern end of the amended project footprint, however the lands subject to the ILUA (national parks, state conservation areas and Forestry Corporation of NSW lands) do not overlap with the amended project footprint. The Tumut Brungle ILUA (which is no longer current) is located in the centre of the amended project footprint around the Tumut area. However, the ILUAs do not recognise native title over these lands, however do not preclude lodgement of a claim in the future should sufficient additional information to support such a claim be provided.</p> <p>Further details are provided in <i>Technical Report 2 – Revised Aboriginal Cultural Heritage Assessment Report</i>.</p>
<p><i>Pipelines Act 1967</i> (as amended by the <i>Energy Legislation Amendment Act 2021</i>)</p>	<p>The <i>Pipelines Act 1967</i> relates to the construction, operation and maintenance of pipelines, and connected purposes.</p> <p>Gas pipelines licenced under the <i>Pipelines Act 1967</i> are intersected by the amended project footprint. Potential impacts on the gas pipelines would be confirmed during further detailed design and construction planning. While the final transmission line alignment is likely to cross gas pipelines, it is expected that the transmission line structures could be micro-sited to avoid impacts to the pipelines. Transgrid will consult further with pipeline owners regarding management of potential impacts to pipelines during further detailed design.</p>
<p><i>Plantations and Reafforestation Act 1999</i></p>	<p>The relevant objects of the <i>Plantations and Reafforestation Act</i> are to facilitate the reafforestation of land, and to promote and facilitate development for timber plantations on essentially cleared land consistently with the principles of ecologically sustainable development (as described in section 6 (2) of the <i>Protection of the Environment Administration Act 1991</i>).</p> <p>The amended project assessment, as detailed in Chapter 6.5 (Land use and property) of the Amendment Report, it is assumed that any vegetation, including forestry resources within transmission line easements, would be cleared or restricted in height for safety and operational reasons. Forestry would therefore no longer be an appropriate land use within the transmission line easements.</p> <p>Transgrid would seek to compensate forestry operators for any lost plantation forestry land, including through provision of replacement land. This would help minimise any reduction in forestry land available for timber supply and offset permanent impacts. Further details are provided in <i>Technical Report 5 – Land Use and Property Impact Assessment</i> of the EIS, and in Chapter 6.5 (Land use and property) and Chapter 6.6 (Economic) of the Amendment Report.</p>

Legislation	Relevance to HumeLink and consideration of issues
<p><i>Protection of the Environment Operations Act 1997</i> (POEO Act)</p>	<p>The POEO Act is a key piece of environment protection legislation administered by the NSW EPA, which enables the Government to establish instruments for setting environmental standards, goals, protocols, and guidelines.</p> <p>The objects of this Act include to protect, restore and enhance the quality of the environment in NSW, having regard to the need to maintain ecologically sustainable development.</p> <p>Under Part 5.7 of the POEO Act, the NSW EPA must be notified of any pollution incidents that cause or threaten material harm to the environment.</p> <p>Chapter 3 of the POEO Act also imposes requirements for EPLs to be obtained for certain activities.</p> <p>Section 147 of the POEO Act requires anyone carrying on an activity or occupying a premises who becomes aware of a pollution incident to report it immediately if there is a risk of 'material harm to the environment'.</p> <p>Further details are provided in <i>Technical Report 10 – Phase 1 Contamination Assessment</i>, <i>Technical Report 17 – Air Quality Impact Assessment</i>, and summarised in Chapter 16 (Soils, geology and contamination), Chapter 21 (Air quality) and Chapter 23 (Waste) of the EIS, and in <i>Technical Report 10 – Phase 1 Contamination Assessment Addendum</i> and <i>Technical Report 17– Air Quality Impact Assessment Addendum</i> of the Amendment Report.</p>
<p><i>Rail Safety Act 2008</i> (Rail Safety Act)</p>	<p>The principal object of the Rail Safety Act of relevance to the project is the regulation of the carrying out of various activities within railway corridors. The transmission line would cross an operating rail corridor - the Main Southern Railway Line, approximately 7 km north-west of Yass. This would require rail possessions during construction with no disruptions to operations on the rail network. The timing and duration of the rail possessions would be undertaken in accordance with the Australian Rail Track Corporation's requirements. Further details are provided in <i>Technical Report 16 – Revised Traffic and Transport Impact Assessment</i> and Appendix A (Updated project description) of the Amendment Report.</p>
<p><i>Roads Act 1993</i> (Roads Act)</p>	<p>The principal object of the Roads Act of relevance to the project is the regulation of the carrying out of various activities on public roads.</p> <p>Part 9 of the Roads Act nominates the requirements for undertaking works within a public road, including the requirement to obtain consent under section 138 for carrying out works in, on or over a public road (this includes the erection of structures), and the digging up or disturbance of the surface of a public road.</p> <p>The project would likely require temporary/partial closure of classified roads for the construction of the project and may require work to connect new access points. Transgrid would require consent to undertake any work on classified roads.</p> <p>However, as a network operator under the <i>Electricity Supply Act 1995</i>, Transgrid is not required to obtain consent under Section 138 of the <i>Roads Act 1993</i> for work in, on or over unclassified roads (other than a Crown road) due to application of section 5 of Schedule 2 of the <i>Roads Act 1993</i>.</p>
<p><i>Rural Fires Act 1997</i> (Rural Fires Act)</p>	<p>The objects of the Rural Fires Act are focused on the prevention, mitigation and suppression of bush and other fires in rural fire districts, and the co-ordination of firefighting and prevention across the State.</p> <p>Potential hazards associated with bushfire risk to the project (including during construction), have been considered as part of <i>Technical Report 13 – Bushfire Risk Assessment</i> and summarised in Chapter 19 (Hazards and risks) of the EIS, and in <i>Technical Report 13 – Bushfire Risk Assessment Addendum</i> and Chapter 6.13 (Hazards and risks) of the Amendment Report.</p>
<p><i>Waste Avoidance and Resource Recovery Act 2007</i> (WARR Act)</p>	<p>The WARR Act promotes waste avoidance and efficient resource use to reduce generation of waste through the Waste Avoidance and Resource Recovery Strategy. The project would consume some natural resources and would produce waste. Waste management would be carried out in accordance with the WARR Act.</p>

Legislation	Relevance to HumeLink and consideration of issues
	<p>Further details on waste and resource impacts associated with the project are provided in Chapter 23 (Waste) of the EIS and Chapter 6.17 (Waste) of the Amendment Report.</p>
<p><i>Water Act 2007</i> (Commonwealth)</p>	<p>This Act provides the legislative framework for ensuring that the Murray-Darling Basin is managed in the national interest and lead to the development of the Basin Plan 2012 and WRPs. The Basin Plan 2012 sets water quality targets and objectives to protect water quality in the Murray-Darling Basin's rivers for people and livestock as well as for wetlands and floodplains. The WRPs set rules on how much water can be taken from the Basin, ensuring that the sustainable diversion limit is not exceeded over time.</p> <p>Further details are provided in Chapter 17 (Surface water and groundwater quality) and in <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment of the EIS</i>, and in <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment Addendum</i>.</p>
<p><i>Water Management Act 2000</i> (WM Act) and the <i>Water Act 1912</i></p>	<p>The <i>Water Act 1912</i> establishes conditions by which users need a licence or authority to take water. Many of the functions of the <i>Water Act 1912</i> are being repealed and replaced with provisions in the WM Act.</p> <p>The WM Act provides for the sustainable and integrated management of water resources. Water use approvals, which authorise and confer a right on the holder of the approval to use water for a particular purpose at a particular location, are dealt with in section 89 of the WM Act.</p> <p>Section 90 of the WM Act identifies three kinds of water management works approvals, being a water supply work approval, a drainage work approval and a flood works approval, with all three of these approvals conferring a right on the holder of the approval to construct and use the specified works at a specified location. Section 91 of the WM Act relate to controlled activities and aquifer interference, both of which confer a right on the holder to carry out the specified activity at the specified location.</p> <p>As the project is CSSI, under the provisions of section 5.23(1) of the EP&amp;A Act, a water use approval pursuant to section 89 of the WM Act, a water management work approval pursuant to section 90 of the WM Act, and an activity approval (other than an aquifer interference approval) pursuant to section 91 of the WM Act are not required and accordingly, do not apply to an approved SSI project.</p> <p>Temporary dewatering and construction activities that interfere with aquifers are generally identified as aquifer interference activities in accordance with the WM Act and the <i>NSW Aquifer Interference Policy</i> (Department of Primary Industries, 2012). In water sources where a water sharing plan applies, an aquifer interference approval is required under section 91(3) of the WM Act. If more than three megalitres of groundwater is to be taken as part of the aquifer interference activity then a water access licence under the WM Act is also required (clause 7 of Schedule 4 Water Management (General) Regulation 2018). Where no water sharing plan applies, an aquifer interference activity that involves the taking of groundwater must hold a water licence under Part 5 of the <i>Water Act 1912</i>.</p> <p>Approvals for groundwater aquifer interference would be confirmed once details of potential quantity of groundwater interception is understood. Further details on the NSW Aquifer Interference Policy are provided in <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment of the EIS</i> and <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment Addendum of the Amendment Report</i>.</p>
<p><i>Work Health and Safety Act 2011</i> and <i>Work Health and Safety Regulation 2017</i></p>	<p>This main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces.</p> <p>The health and safety of workers would be managed in accordance with Transgrid's existing management systems.</p> <p>Further consideration of issues relevant to work health and safety are discussed in Chapter 19 (Hazards and risks) of the EIS and Chapter 6.13 (Hazards and risks) of the Amendment Report.</p>

## C.6 Consideration of NSW environmental planning instruments

Section 5.22 of the EP&A Act states that environmental planning instruments do not apply to SSI and CSSI projects. Notwithstanding, a number of key environmental planning instruments have been considered in relation to the assessment of the project as summarised in Table .

Table C-5 Consideration of key environmental planning instruments for the project

Environmental planning instruments	Relevance to HumeLink
<b>State environmental planning policies</b>	
State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)	The project has been declared SSI and CSSI under section 5.13 of the EP&A Act pursuant to section 2.15 and Schedule 5, paragraph 9 “Snowy 2.0 and Transmission Project” of the Planning Systems SEPP.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>This SEPP consolidates the planning provisions of a number of previous SEPPs of potential relevance to the project with respect to:</p> <ul style="list-style-type: none"> <li>• Vegetation in non-rural areas</li> <li>• Koala habitat protection</li> <li>• Water catchments.</li> </ul> <p><u>Vegetation in non-rural areas</u></p> <p>Chapter 2 of the SEPP aims to protect the biodiversity value of trees and other vegetation in non-rural areas and to preserve the amenity of non-rural areas through the preservation of trees and other vegetation.</p> <p>The SEPP only applies to projects that require development consent under Part 4 of the EP&amp;A Act. The Biodiversity Development Assessment Report (BDAR) carried out for the project has considered potential impacts to vegetation. Further details are provided in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>.</p> <p><u>Koala habitat protection</u></p> <p>Chapter 3 of the SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:</p> <ul style="list-style-type: none"> <li>• requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat</li> <li>• encouraging the identification of areas of core koala habitat</li> <li>• encouraging the inclusion of areas of core koala habitat in conservation zones.</li> </ul> <p>Section 3.3 of the SEPP identifies the land where to which Chapter 3 applies. This includes land within the project footprint in the Wagga Wagga City, Snowy Valleys, Yass Valley, Goulburn Mulwaree and Upper Lachlan Shire LGAs zoned as RU1 Primary Production, RU2 Rural Landscape and RU3 Forestry (or an equivalent land use zone). The policy does not apply to the Cootamundra-Gundagai LGA.</p> <p>Chapter 4 of the SEPP aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.</p> <p>Section 4.4 of the SEPP identifies the land where koala habitat protection applies. This includes land within the project footprint in the Wagga Wagga City, Snowy Valleys, Yass Valley, Goulburn Mulwaree and Upper Lachlan Shire LGAs, however it does not apply to land zoned RU1 Primary Production, RU2 Rural Landscape or RU3 Forestry. The policy does not apply to the Cootamundra-Gundagai LGA.</p> <p>The SEPP only applies to projects that require development consent under Part 4 of the EP&amp;A Act that either:</p> <ul style="list-style-type: none"> <li>• occur on land with an approved koala plan of management; or</li> <li>• occur on land without an approved koala plan of management but that have an area of at least one hectare (including adjoining land in the same ownership of more than one hectare).</li> </ul>

Environmental planning instruments	Relevance to HumeLink
	<p>As approval for the project would be sought under Part 5, Division 5.2 of the EP&amp;A Act, the provisions of Chapter 3 and 4 of this SEPP do not apply to the project. It is also noted that no Koala Plans of Management apply to the LGAs encompassed by this project.</p> <p>Regardless, a Biodiversity Development Assessment Report (BDAR) has been prepared for the project and has considered potential impacts to koala populations. Further details are provided in <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i>.</p> <p><u>Water catchment</u></p> <p>Part 6.5 of the SEPP relates to the use of land within the Sydney drinking water catchment. Section 6.61 requires consideration of whether or not development will have a neutral or beneficial effect on water quality before carrying out the development. Whilst the provisions of the SEPP do not apply to SSI, a neutral or beneficial effect assessment is included in <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment</i>.</p> <p>The NorBE assessment indicates that the project is expected to have an overall neutral impact on water quality during construction and in operation.</p> <p>Further details are provided in Chapter 17 (Surface water and groundwater quality) and <i>Technical Report 12 – Surface Water and Groundwater Impact Assessment and Technical Report 12 – Surface Water and Groundwater Impact Assessment Addendum</i>.</p>
<p>State Environmental Planning Policy (Primary Production) 2021</p>	<p>This SEPP aims to facilitate the orderly economic use and development of land for primary production and reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources. The SEPP also provides for mapping biophysical strategic agricultural land (BSAL) and State significant agricultural land (SSAL). The BSAL and draft SSAL within the project footprint has been considered in <i>Technical Report 4 – Agricultural Impact Assessment</i> of the EIS and <i>Technical Report 4 – Agricultural Impact Assessment Addendum</i> of the Amendment Report.</p> <p>Further details are provided in Chapter 11 (Land use and property) and <i>Technical Report 4 – Agricultural Impact Assessment</i> of the EIS, and in Chapter 6.5 (Land use and property), <i>Technical Report 1 – Revised Biodiversity Development Assessment Report</i> and <i>Technical Report 4 – Agricultural Impact Assessment Addendum</i> of the Amendment Report.</p>
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p>The State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) consolidates and repeals the provisions of the following SEPPs:</p> <ul style="list-style-type: none"> <li>• SEPP (Coastal Management) 2018</li> <li>• SEPP 33 – Hazardous and Offensive Development</li> <li>• SEPP 55 – Remediation of Land.</li> </ul> <p>The potential relevance the SEPP to this project would be Chapter 4 – Remediation of land. The object of this Chapter is to provide a State-wide planning approach to the remediation of contaminated land for the purpose of minimising the risk of harm to the health of humans and the environment.</p> <p>Whilst the provisions of the SEPP do not apply to SSI, the issues for consideration by a consent authority have been included in the assessment of the project. These considerations include:</p> <ul style="list-style-type: none"> <li>• whether the land is contaminated</li> <li>• if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or would be suitable, after remediation) for the purpose for which the development is proposed to be carried out</li> <li>• if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land would be remediated before the land is used for that purpose.</li> </ul> <p>A Phase 1 contamination assessment was carried out for the project to inform the design and EIS process. The assessment concluded that based on the information reviewed and assessed, the contamination study area is not affected by broad-scale contamination, and the risk of soil and groundwater contamination is generally low. These impacts can be avoided or managed through the implementation of the proposed environmental measures. Operational contamination risk management was also considered to be manageable with standard controls and procedures.</p>

Environmental planning instruments	Relevance to HumeLink
	Further consideration of contamination is provided in <i>Technical Report 10 - Phase 1 Contamination Assessment</i> and Chapter 16 (Soils, geology and contamination) of the EIS, and in <i>Technical Report 10 – Phase 1 Contamination Assessment Addendum</i> and Chapter 6.10 (Soils, geology and contamination) of the Amendment Report.
Regional environmental planning policies	
Riverina Murray Regional Plan 2041 and South East and Tablelands Regional Plan 2036 and Draft South East and Tablelands Regional Plan 2041	<p>The Riverina Murray Regional Plan 2041 and the South East and Tablelands Regional Plan 2036 and Draft South East and Tablelands Regional Plan 2041 set out the strategic land use planning framework for the regions. Both regional plans recognise the role of the regions in supporting NSW's transition to net zero carbon emissions by 2050 through prioritisation and support of renewable energy.</p> <p>Relevant key strategic directions/objectives include:</p> <ul style="list-style-type: none"> <li>• Riverina Murray Regional Plan 2041 – Direction 13: Support the transition to net zero by 2050 (DPE, 2023)</li> <li>• South East and Tablelands Regional Plan 2036 - Direction 6: Position the region as a hub of renewable energy excellence (DPE 2017).</li> <li>• Draft South East and Tablelands Regional Plan 2036 – Objective 8: Plan for a net zero region by 2050 and Objective 12: Realise economic benefits from a connected regional economy.</li> </ul> <p>When operational, HumeLink would significantly assist in meeting these regional planning directions/objectives. It would support NSW's transition to net zero carbon emissions by providing additional transmission capacity in the regions to encourage prioritisation of investment in new renewable energy sources.</p>
Local environmental plans (LEPs)	
Goulburn Mulwaree LEP 2009 Gundagai LEP 2011 Tumbarumba LEP 2010 Tumut LEP 2012 Upper Lachlan LEP 2010 Wagga Wagga LEP 2010 Yass Valley LEP 2013	<p>Each local environmental plan (LEP) provides development standards, zoning and planning controls for development in the relevant LGA.</p> <p>While the LEP guides local development within the LGA, the EP&amp;A Act expressly provides that LEPs do not apply to SSI or CSSI projects. However, the assessment has considered heritage items listed under the LEP in Chapter 10 (Non-Aboriginal heritage) and has considered impacts to land use and zoning in Chapter 11 (Land use and property).</p> <p>Other provisions of the LEPs have not been considered further in this EIS.</p>