Planning Secretary's Environmental Assessment Requirements

Section 5.16 of the *Environmental Planning and Assessment Act 1979*

Part 8 of the Environmental Planning and Assessment Regulation 2021

Application Number	SSI-74175972
Project	• New England Renewable Energy Zone (REZ) Transmission Project, which includes development of: • new overhead transmission lines including: - dual 500 kV lines between Bayswater Power Station substation and the New England REZ; - 500 kV and 330 kV lines within the REZ to connect to proposed energy hubs and existing transmission lines; • four energy hubs within the REZ and a switching station at the northern connection point; and • ancillary infrastructure such as access tracks and roads, existing electricity infrastructure upgrades/augmentation, communications infrastructure and facilities, laydown and staging areas, earthwork material sites with crushing and screening plants, concrete batching plants, helicopter landing pads, site offices and workforce accommodation camps.
Location	Between the Bayswater Power Station and Boorolong for a length of approximately 360 km, within Muswellbrook Shire, Upper Hunter Shire, Liverpool Plains Shire, Tamworth Regional, Walcha Shire, Uralla Shire and Armidale Regional Local Government Areas.
Proponent	Energy Corporation of NSW
Date of Issue	5 September 2024
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the *Environmental Planning and Assessment Regulation 2021* (the Regulation) and must have regard to the *State Significant Infrastructure Guidelines*. In particular, the EIS must include: • a stand-alone executive summary; • a summary of the background to the project, including alternatives that were considered to the project; • a full description of the project, accompanied by suitable maps and plans, including the: - disturbance area; - physical layout of the project over time, including sections of key components; - key uses and activities to be carried out on site; - likely timing of the project including any stages, the key phases within each stage (site preparation, construction, commissioning, operation, decommissioning and rehabilitation) and the sequencing of these stages and phases; - the Project Area (as per Table 1 of the *SSI guidelines - preparing an environmental impact statement*) and Development Footprint (disturbance area including but not limited to areas for infrastructure, road works, access tracks);

	- consistency in information presented in the EIS and all technical reports, including distances, development footprint, project design and infrastructure proposed, construction timeframes and receiver numbers; • the relevant strategic context for the project, having regard to: - State legislation, policies and guidelines including current initiatives to improve energy security and reliability in the National Electricity Market; - any other existing, approved or proposed projects that could result in cumulative impacts with the project; - an analysis of the feasible alternatives to carrying out the project, considering its objectives, including the consequences of not carrying out the infrastructure; • the relevant statutory context for the project, including: - the assessment pathway for the project under the *Environmental Planning and Assessment Act 1979*; - the approvals required before the project may be carried out; - any relevant matters for consideration; • a description of the engagement that was carried out during the preparation of the EIS, the key issues raised during this engagement and the proposed engagement strategy for the project if it is approved; • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • an assessment of the likely economic, social and environmental impacts of the project having regard to the requirements in any relevant Government legislation, policies and guidelines (see below), and any other significant issues identified in the risk assessment, focusing on the specific issues identified below, including: - the state of the existing environment; - community views; - the measures that would be implemented to avoid or minimise impacts, including a consolidated summary of the proposed mitigation measures for the project; - the predicted impacts of the project, including any cumulative impacts of the site and existing or proposed developments in the region taking into consideration any relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice including *Cumulative Impact Assessment Guideline* (DPIE); - actions proposed to deal with any uncertainties associated with the assessment; • a detailed evaluation of the merits of the project as a whole. **Estimated Development Cost and Employment** • Provide the estimated cost (EDC) of the project prepared in accordance with the relevant planning circular using the Standard Form of EDC Report. • Provide an estimate of the retained and new jobs that would be created during the construction and operational phases of the project, including details of the methodology to determine the figures provided. In addition the EIS must also be accompanied by a declaration from a Registered Environmental Practitioner that the EIS includes the information specified in the Department's *Registered Environmental Assessment Practitioner Guidelines.*
Key issues	The level of assessment of key matters must be proportionate to the likely significance of the impacts on the matter. In particular, the EIS must address the following specific matters: **Biodiversity:** • an assessment of the biodiversity impacts of the project, including impacts associated with transport route road upgrades, in accordance with the *NSW Biodiversity Conservation Act 2016*, the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must: - be prepared using the approved BDAR template;

- document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM;
- assess any impacts to nearby conservation areas and nature reserves, including the biodiversity offset site at Chaffey Dam and wildlife refuge at Glenbawn Dam;
- assess the impacts associated with all ancillary infrastructure, including the transport route road upgrades;
- include an assessment for serious and irreversible impacts (SAII) in accordance with Section 9.1 of the BAM;
- be finalised by an accredited assessor as BAM-compliant within 14 days of submission;

- an assessment of the likely direct and indirect impacts on listed aquatic threatened species, populations or ecological communities, scheduled under the *Fisheries Management Act 1994*, and a description of the measures to minimise and rehabilitate impacts;
- a cumulative impact assessment of biodiversity values in the region from nearby developments; and
- if an offset is required, details of the measures proposed to address the offset obligations.

Heritage:

- an assessment of the impact to Aboriginal heritage (cultural and archaeological), including test excavations, in accordance with the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH, 2011) and the *Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010);
- evidence of adequate consultation with Aboriginal parties in determining and assessing impacts, having regard to the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW, 2010);
- if the test excavations do not conform with the Code of Practice, then the excavations may only be carried out with the written endorsement of Heritage NSW following consultation with the Registered Aboriginal Parties;
- an assessment of the impact to historic heritage having regard to *Guidelines for Preparing a Statement of Heritage Impact* (DPE, 2023).

Water and Soils:

- an assessment of the impacts of the project on the quantity and quality of the region's surface water resources, including the Chaffey Dam, Glenbawn Dam, Hunter River, Pages River, Peel River, Macdonald River, Gwydir River and other watercourses present within the proposed corridor, having regard to NSW Water Quality Objectives;
- details of water requirements, supply arrangements and wastewater disposal arrangements for construction and operation (including consultation with suppliers);
- an assessment of the impacts of the project on groundwater aquifers and groundwater dependent ecosystems having regard to the *NSW Aquifer Interference Policy* and relevant Water Sharing Plans;
- an assessment of the potential flooding impacts and risks of the project;
- where the project involves works within 40 metres of the high bank of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the DPI *Guidelines for Controlled Activities on Waterfront Land* (2018) and (if necessary) *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (DPI 2003); and *Policy & Guidelines for Fish Habitat Conservation & Management* (DPI, 2013); and
- a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with *Managing Urban Stormwater: Soils & Construction* (Landcom 2004).

Land:

- an assessment of impacts of the project on soils and land capability of the site and surrounds;
- identify potential biosecurity risks and appropriate strategies to prevent, eliminate or minimise those risks;
- an assessment of impact of the project on agricultural land, land reserved under the *National Parks and Wildlife Act 1974*, Crown lands including State Forests, travelling stock reserves, mineral resources and exploration licenses, rail reserves and pipeline corridors.

Contamination

- an assessment of the risk of soil contamination and disturbance of land (including associated with natural occurring asbestos, acid sulfate soils and salinity in the vicinity of the site), including:
  - characterisation of the nature and extent of any contamination on the site and surrounding area;
  - identification of any construction activities that could disturb or interact with any contaminated soil, groundwater or surface water;
  - details of measures to manage contaminated impacted soils, groundwater or surface water that may be encountered during construction; and
  - if required, a contaminated land report prepared by a certified consultant in accordance with guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997*, the Regulation, and the *State Environmental Planning Policy (Resilience and Hazards) 2021*, including reference to the *PFAS National Environmental Management Plan 2.0* (Heads of EPAs of Australia and New Zealand, 2020) (NEMP).

Transport:

- an assessment of the peak and average traffic generation, including light vehicles, shuttle buses, heavy vehicles and high risk heavy vehicles requiring escort and construction worker transportation;
- an assessment of the likely transport impacts to the site access route(s) including the above listed vehicles, site access point(s), any Crown land, particularly in relation to the capacity and condition of the roads, road safety and intersection performance;
- a cumulative impact assessment of traffic from nearby developments (including mining operations);
- provide details of measures to mitigate and/or manage potential impacts (developed in consultation with the relevant road/rail authorities), including:
  - a schedule of all required road upgrades (including resulting from high risk heavy vehicles requiring escort traffic haulage routes);
  - clear figures of proposed road upgrades (including the site access point);
  - road maintenance contributions, and any other traffic control measures;
- details of the ongoing maintenance works required to service assets, outlining the measures to maintain the road.

Visual:

- a detailed assessment for the whole project of the likely visual impacts of the project on surrounding residences, scenic or significant vistas, night lighting, air traffic and road corridors in the public domain; and
- provide details of measures to mitigate and/or manage potential impacts.

Noise:

- an assessment of the construction noise impacts of the project in accordance with the *Interim Construction Noise Guideline* (ICNG), blasting impacts, cumulative impacts (considering other developments in the area), and operational noise impacts in accordance with the *NSW Noise Policy for Industry* (2017), including corona noise; and
- provide details of measures to mitigate and/or manage potential impacts.

	Air Quality: • an assessment of the air quality impacts of the project, including from dust. **Hazards:** • a preliminary risk screening completed in accordance with Chapter 3 of Resilience and Hazard SEPP 2021 and Applying SEPP 33 (DoP, 2011); • *Battery Energy Storage System* (if proposed) – a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011). The PHA must assess the risk and demonstrate compliance with the Department's *Hazardous Industry Advisory Paper No. 4, 'Risk Criteria for Land Use Safety Planning* (DoP, 2011) for all proposed energy storage technologies. • identify possible effects on telecommunications systems, assess impacts and mitigation measures to avoid potential disruptions to radio communication services, which may include the installation and maintenance of alternative sites; • an assessment of potential hazards and risks associated with electric and magnetic fields (EMF) having regard to the latest advice of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA); • an assessment of the risks to public safety, paying particular attention to bushfire risks, emergency egress and evacuation, the handling and use of any dangerous goods and potential impacts to high pressure gas pipelines; • describe the bushfire protection measures for the project, including the proposed approach to vegetation management in the transmission easement, having regard to the requirements in the *Planning for Bushfire Protection Guideline* (RFS 2019); • assess potential impacts on aviation safety, including: - defined air traffic routes, aircraft operating heights, approach / departure procedures, radar interference, communication systems, navigation aids, use of emergency helicopter access, aerial baiting and culling in the National Parks, safe and efficient aerial application of agricultural fertilisers and pesticide, and aerial fire control; - identify certified aerodromes within 30 km of the transmission line and uncertified aerodromes and landing areas within 10km of the transmission line, and consider the impact to nearby aerodromes, aircraft landing areas; - address impacts on obstacle limitation surfaces; and - identify aviation marking requirements, if any. **Waste:** • identify, quantify and classify the likely waste streams to be generated throughout all stages of the project, and describe the measures to be implemented to reduce waste generation, manage, reuse, recycle and safely dispose of this waste (in consultation with waste facilities, including Councils). **Social Impact:** • an assessment of the social impacts in accordance with *Social Impact Assessment Guideline* (DPIE) and consideration of the need for construction workforce accommodation. **Economic:** • an assessment of the economic benefits of the project for the region and the State as a whole, including: - consideration of any increase in demand for community infrastructure and services, and details of how the construction workforce will be managed to minimise local impacts, including consideration of construction workforce accommodation; and - details of any proposed benefit sharing arrangements.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the EP&A Regulation. Provide these as part of the EIS rather than as separate documents.

	In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.
Legislation, Policies & Guidelines	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at: • https://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework/Improving-assessment-guidance • https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines; and • https://www.dcceew.gov.au/environment/epbc/publications#assessments.
Engagement	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, infrastructure and service providers, community groups, affected landowners, Native Title holders, exploration licence holders, quarry operators and mineral title holders.
Expiry Date	If you do not lodge an EIS for the infrastructure within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.