

# Infrastructure Approval

## Section 5.19 of the *Environmental Planning and Assessment Act 1979*

I grant approval to the application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



Minister for Planning

2/9/22

Sydney

2022

### SCHEDULE 1

|                                            |                                                                                                                                                                                                     |
|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application Number:                        | SSI 9717                                                                                                                                                                                            |
| Proponent:                                 | NSW Electricity Network Operations Pty Limited as trustee for NSW Electricity Networks Operations Trust                                                                                             |
| Approval Authority:                        | Minister for Planning                                                                                                                                                                               |
| Land:                                      | Land in Kosciuszko National Park (Lobs Hole and Ravine) and Nurenmerenmong in the Bago State Forest as described in the EIS and shown on the development layout plans                               |
| Development:                               | Snowy 2.0 Transmission Connection<br><br>Development of new 330 kilovolt (kV) transmission lines and associated infrastructure connecting the Snowy 2.0 Main Works project to the electricity grid. |
| Critical State Significant Infrastructure: | Development for the Snowy 2.0 and Transmission Project as described in Clause 9 of Schedule 5 of <i>State Environmental Planning Policy (Planning Systems) 2021</i> .                               |

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## DEFINITIONS

The definitions below apply to terms used in this approval, unless otherwise stated or the context indicates otherwise.

| Term                                  | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Aboriginal Stakeholders</b>        | Registered Aboriginal Parties (RAPs) from the EIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Ancillary facility</b>             | Facilities for the construction of the development including tensioning and pulling sites for conductor and earth wire stringing, crane pads, site compounds and equipment laydown areas                                                                                                                                                                                                                                                                                                                         |
| <b>AS</b>                             | Australian Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>BCA</b>                            | Building Code of Australia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>BC Act</b>                         | <i>Biodiversity Conservation Act 2016</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>BCS</b>                            | Biodiversity, Conservation and Science Directorate of the Department of Planning and Environment                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Conditions of this approval</b>    | Conditions contained in Schedules 1 to 2 inclusive                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Construction</b>                   | All physical work to enable operation, including but not limited to the construction of transmission infrastructure and ancillary facilities carried out before the commencement of operation, excluding pre-construction minor works and road upgrades                                                                                                                                                                                                                                                          |
| <b>Council</b>                        | Snowy Valleys Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>DCCEEW</b>                         | Commonwealth Department of Climate Change, Energy, Environment and Water                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Decommissioning</b>                | The deconstruction and removal of the: <ul style="list-style-type: none"> <li>• switchbays and substation;</li> <li>• ancillary facilities; and</li> <li>• transmission structures, overhead conductors, earth wires and earthing strips</li> </ul>                                                                                                                                                                                                                                                              |
| <b>Demolition</b>                     | The deconstruction and removal of buildings, sheds and other structures on the site                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Department</b>                     | NSW Department of Planning and Environment                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Development</b>                    | The development as generally described in Schedule 1 of this approval, the carrying out of which is approved under the terms of this approval                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Development area</b>               | The area subject to disturbance and/or development, as shown on the development layout plans and depicted in the EIS                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Development layout plans</b>       | The area of the development as depicted on the figures in Appendix 2                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>DPE Water</b>                      | The Department's Water Division                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>DPI</b>                            | Department of Primary Industries                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>EIS</b>                            | The Environmental Impact Statement titled Environmental Impact Statement - Snowy 2.0 Transmission Connection Project, prepared by Jacobs Group (Australia) Pty Limited, dated February 2021, including the Proponent's: <ul style="list-style-type: none"> <li>• Amendment Report, dated March 2022;</li> <li>• Submissions Report, dated March 2022;</li> <li>• Biodiversity Development Assessment Report dated 22 August 2022; and</li> <li>• additional information letters dated 16 August 2022.</li> </ul> |
| <b>EMF</b>                            | Electric and Magnetic Fields                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>EMS</b>                            | Environmental Management System                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>EPA</b>                            | NSW Environment Protection Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>EP&amp;A Act</b>                   | <i>Environmental Planning and Assessment Act 1979</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>EP&amp;A Regulation</b>            | <i>Environmental Planning and Assessment Regulation 2021</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>EPBC Act</b>                       | <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>EPL</b>                            | Environment Protection Licence under the POEO Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Feasible</b>                       | Means what is possible and practical in the circumstances                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>FCNSW</b>                          | Forestry Corporation of NSW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>FRNSW</b>                          | Fire and Rescue NSW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Heavy vehicle</b>                  | As defined by the Heavy Vehicle National Regulator under the Heavy Vehicle National Law                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Heavy vehicle requiring escort</b> | Any vehicle that requires a pilot vehicle and/or escort vehicle, as defined by the National Heavy Vehicle Regulator's NSW Class 1 Load Carrying Vehicle Operator's Guide                                                                                                                                                                                                                                                                                                                                         |

|                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Heritage item</b>                | An Aboriginal object, an Aboriginal place, or a place, building, work, relic, moveable object, tree or precinct of heritage significance, that is listed under any of the following: the <i>National Parks and Wildlife Act 1974</i> , the State Heritage Register under the <i>Heritage Act 1977</i> , a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> , a Local Environmental Plan under the EP&A Act, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the EPBC Act, or anything identified as a heritage item under the conditions of this approval                                                                                                                    |
| <b>Heritage Council</b>             | Heritage Council of NSW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Heritage NSW</b>                 | Heritage Division within the Department of Premier and Cabinet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Incident</b>                     | An occurrence or set of circumstances that causes, or threatens to cause material harm and which may or may not be or cause a non-compliance.<br>Note: "material harm" is defined in this approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Land</b>                         | Has the same meaning as the definition of the term in section 1.4 of the EP&A Act                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Landowner</b>                    | Has the same meaning as "owner" in the <i>Local Government Act 1993</i> and in relation to a building means the owner of the building                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Material harm</b>                | Is harm that: <ul style="list-style-type: none"> <li>involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).</li> </ul> This definition excludes "harm" that is authorised under either this approval or any other statutory approval                                                                                                                                              |
| <b>Maximise</b>                     | Implement all reasonable and feasible mitigation measures to achieve the specified outcome                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Minimise</b>                     | Implement all reasonable and feasible mitigation measures to reduce the impacts of the development                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Minister</b>                     | NSW Minister for Planning, or delegate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Non-compliance</b>               | An occurrence, set of circumstances or development that is a breach of this approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>NPWS</b>                         | National Parks and Wildlife Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>NSW</b>                          | New South Wales                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Operation</b>                    | The carrying out of the approved purpose of the development upon completion of construction, but does not include commissioning trials of equipment or use of temporary facilities.<br>Note: There may be overlap between the carrying out of construction and operation if the phases of the development are staged. Commissioning trials of equipment and temporary use of any part of the development are within the definition of construction.                                                                                                                                                                                                                                                                                                                      |
| <b>Planning Secretary</b>           | Planning Secretary under the EP&A Act, or nominee                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>POEO Act</b>                     | <i>Protection of the Environment Operations Act 1997</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Pre-construction minor works</b> | Includes: <ul style="list-style-type: none"> <li>(i) the following activities: <ul style="list-style-type: none"> <li>surveys;</li> <li>building and road dilapidation surveys;</li> <li>investigative drilling, excavation or salvage;</li> <li>establishing temporary site office (in locations meeting the criteria identified in the conditions of this approval); and</li> <li>installation of environmental impact mitigation measures, fencing, enabling works;</li> </ul> </li> <li>(ii) construction of minor access roads and minor adjustments to services/utilities, etc, for the activities identified in (i) above; and</li> <li>(iii) minor clearing or translocation of native vegetation for the activities identified in (i) and (ii) above</li> </ul> |
| <b>Project area west</b>            | All land to which the development application applies located to the west of Talbingo Reservoir                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Proponent</b>                    | The person identified as such in Schedule 1 of this approval or any other person carrying out any part of the development from time to time                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Public infrastructure</b>        | Linear and related infrastructure that provides services to the general public, such as roads, railways, water supply, drainage, sewerage, gas supply, electricity, telephone, telecommunications, etc                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                               |                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Reasonable</b>             | Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements                                                                                                                                                        |
| <b>RFS</b>                    | NSW Rural Fire Service                                                                                                                                                                                                                                                                                                                                                  |
| <b>Rehabilitation</b>         | The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting                                                                                                                                                                                                                                                |
| <b>Site</b>                   | All land to which the development application applies as listed in Appendix 1 and shown in Appendix 2                                                                                                                                                                                                                                                                   |
| <b>TfNSW</b>                  | Transport for NSW                                                                                                                                                                                                                                                                                                                                                       |
| <b>Upgrades and Upgrading</b> | The carrying out of works in accordance with the conditions of this approval (including replacing plant, equipment or machinery and updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation, and the carrying out of maintenance works (excluding road upgrades).                                    |
| <b>Watercourse</b>            | A river, creek or other stream, including a stream in the form of an anabranch or tributary, in which water flows permanently or intermittently, regardless of the frequency of flow events. In a natural channel, whether artificially modified or not, or in an artificial channel that has changed the course of the stream. It also includes weirs, lakes and dams. |

## SUMMARY OF REPORTING REQUIREMENTS

Reports and notifications that must be provided to the Planning Secretary under the terms of this approval are listed in the following table. Note that under condition A5 of this approval the Proponent may seek the Planning Secretary's agreement to a later timeframe for submission (other than in relation to the immediate written notification of an incident required under condition C7).

| Condition                                                        | Report/Notification                                                                                 | Timing                                                                         | Purpose     |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------|
| <b>Part B – Environmental Conditions – General</b>               |                                                                                                     |                                                                                |             |
| <b>B8</b>                                                        | Spoil Management Plan                                                                               | Prior to commencing construction                                               | Approval    |
| <b>B16</b>                                                       | Water Management Plan                                                                               | Prior to commencing construction                                               | Approval    |
| <b>B18</b>                                                       | Biodiversity Offset Package                                                                         | Prior to carrying out any development that could impact on biodiversity values | Approval    |
| <b>B21</b>                                                       | Biodiversity Management Plan                                                                        | Prior to carrying out any development that could impact on biodiversity values | Approval    |
| <b>B24</b>                                                       | Heritage Management Plan                                                                            | Prior to carrying out any development that could impact on heritage values     | Approval    |
| <b>B27</b>                                                       | Transport strategy                                                                                  | Prior to commencing construction in Project Area West                          | Approval    |
| <b>B29</b>                                                       | Pre-construction Dilapidation Report                                                                | Prior to commencing construction                                               | Information |
| <b>B29</b>                                                       | Post-construction Dilapidation Report                                                               | Within 1 month of completion of construction, upgrading or decommissioning     | Information |
| <b>B32</b>                                                       | Traffic and Transport Management Plan                                                               | Prior to commencing construction                                               | Approval    |
| <b>B33</b>                                                       | Long-Term Road Strategy – KNP                                                                       | Within 2 years of commencing construction                                      | Information |
| <b>B36</b>                                                       | Visual Impact Management Plan                                                                       | Prior to commencing construction                                               | Approval    |
| <b>B42</b>                                                       | Emergency Plan                                                                                      | Prior to commencing construction                                               | Approval    |
| <b>B48</b>                                                       | Rehabilitation Management Plan                                                                      | Within 12 months following commencement of construction                        | Approval    |
| <b>Part C – Environmental Management, Reporting and Auditing</b> |                                                                                                     |                                                                                |             |
| <b>C1</b>                                                        | EMS                                                                                                 | Prior to commencing development                                                | Approval    |
| <b>C4</b>                                                        | Notification of commencement of development, construction, operations, upgrading or decommissioning | Prior to commencing the relevant phase                                         | Information |
| <b>C5</b>                                                        | Final Layout Plans                                                                                  | Prior to commencing construction                                               | Information |
| <b>C6</b>                                                        | Work as Executed Plans                                                                              | Prior to commencing operations                                                 | Information |
| <b>C7</b>                                                        | Notification of Incident                                                                            | Immediately upon becoming aware of the incident                                | Information |
| <b>C8</b>                                                        | Notification of Non-Compliance                                                                      | Within seven days upon becoming aware of any non-compliance                    | Information |

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In meeting the specific performance measures and criteria of this approval, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction, operation, rehabilitation, upgrading or decommissioning of the development.

#### TERMS OF APPROVAL

- A2. The development must be carried out:
- (a) in compliance with the conditions of this approval;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) generally in accordance with the EIS; and
  - (d) generally in accordance with the Development Layout in Appendix 2.
- A3. The Proponent must comply with any requirement/s of the Planning Secretary arising from the Department's assessment of:
- (a) any strategies, plans or correspondence that are submitted in accordance with this approval;
  - (b) any reports, reviews or audits commissioned by the Department regarding compliance with this approval; and
  - (c) the implementation of any actions or measures contained in these documents.
- A4. The conditions of this approval and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) and A2(d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.
- A5. Any document that must be submitted within a timeframe specified in or under the terms of this approval may be submitted within a later timeframe agreed with the Planning Secretary. This condition does not apply to the immediate written notification required in respect of an incident under condition C7.

#### LIMITS ON APPROVAL

##### Restrictions on Disturbance Area and Native Vegetation Clearing

- A6. The Proponent must comply with the restrictions in Table 1 below.

**Table 1 Restrictions on Approval**

| Matter                                     | Kosciuszko National Park | Bago State Forest | Total   |
|--------------------------------------------|--------------------------|-------------------|---------|
| Maximum Disturbance Area                   | 81 ha                    | 44 ha             | 125 ha  |
| Maximum Native Vegetation Full Clearing    | 37 ha                    | 34 ha             | 71 ha   |
| Maximum Native Vegetation Partial Clearing | 38 ha                    | 9.2 ha            | 47.2 ha |

*The areas in Table 1 relate to direct disturbance and clearing and do not include the indirect impacts of this disturbance and clearing.*

#### LAPSE OF APPROVAL

- A7. This approval will lapse if the Proponent does not physically commence the development within 5 years of the date on which it is granted.

## EVIDENCE OF CONSULTATION

- A8. Where conditions of this approval require consultation with an identified party, the Proponent must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
  - (b) provide details of the consultation undertaken including:
    - (i) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Proponent and how the Proponent has addressed the matters not resolved.

## PROTECTION OF PUBLIC INFRASTRUCTURE

- A9. Unless the Proponent and the applicable authority agree otherwise, the Proponent must:
- (a) undertake any works on or in the vicinity of public infrastructure in consultation with the applicable public authority or service provider responsible for the public infrastructure;
  - (b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the development; and
  - (c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.
  - (d) This condition does not apply to any damage to roads caused as a result of general road usage which is expressly provided for in the conditions of this approval.

## DEMOLITION

- A10. The Proponent must ensure that all demolition work on site is carried out in accordance with AS 2601-2001: *The Demolition of Structures* (Standards Australia, 2001), or its latest version.

## STRUCTURAL ADEQUACY

- A11. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA; and where the BCA is not applicable, to the relevant Australian Standard.

### Notes:

- Under Part 6 of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A Regulation sets out the requirements for the certification of the development.

## COMPLIANCE

- A12. The Proponent must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this approval relevant to activities they carry out in respect of the development.

## OPERATION OF PLANT AND EQUIPMENT

- A13. All plant and equipment used on site, or in connection with the development must be:
- (a) maintained in a proper and efficient condition;
  - (b) operated in a proper and efficient manner; and
  - (c) kept free of weeds, seeds and pathogens when entering or leaving the site.

## APPLICABILITY OF GUIDELINES

- A14. References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this approval.
- A15. However, consistent with the conditions of this approval and without altering any limits or criteria in this approval, the Planning Secretary may, when issuing directions under this approval in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## **PART B ENVIRONMENTAL CONDITIONS – GENERAL**

### **NOISE AND VIBRATION**

#### **Construction Hours**

- B1. Unless the Planning Secretary agrees otherwise, road upgrades, construction, upgrading and decommissioning activities may only be undertaken between 6 am to 6 pm.
- B2. The following construction, upgrading and decommissioning activities may be carried out outside the hours specified in condition B1 above:
- (a) the delivery or dispatch of materials as requested by the NSW Police Force or other public authorities for safety reasons; or
  - (b) emergency work to avoid the loss of life, property or to prevent material harm to the environment; or
  - (c) activities that are inaudible at sensitive receivers that do not require traffic movements on local roads; or
  - (d) road upgrades required by the relevant roads authority/manager to be undertaken outside the construction hours specified in condition B1; or
  - (e) works carried out in accordance with an Out-of-Hours Work Protocol approved in accordance with condition B3.
- B3. An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of works which are outside the hours defined in condition B1. The Protocol must be approved by the Planning Secretary before commencing these works. The Protocol must:
- (a) be prepared in consultation with Council;
  - (b) provide a process for the consideration of out-of-hours works against the relevant construction noise, traffic noise and vibration criteria, including the determination of low and high risk activities;
  - (c) identify an approval process that considers the risk of activities, proposed mitigation, management, and coordination,
  - (d) identify Department and Council arrangements for approved out of hours work.

#### **Construction and Decommissioning**

- B4. The Proponent must take all reasonable and feasible steps to minimise the construction, upgrading or decommissioning noise of the development in the locations where the noise is audible to sensitive receivers, including any associated traffic noise.
- B5. The Proponent must implement mitigation measures with the aim of achieving the road traffic noise assessment criteria for land uses from *NSW Road Noise Policy* (DECCW, 2011).

### **AIR QUALITY**

- B6. In addition to the performance outcomes, commitments and mitigation measures specified in the EIS, the Proponent must take all reasonable steps to:
- (a) minimise the off-site dust, fume, blast emissions and other air pollutants of the development; and
  - (b) minimise the surface disturbance of the site.

### **SOIL AND WATER**

#### **Permanent Spoil Emplacement Areas**

- B7. Apart from the spoil that is provided to the NPWS for use in other parts of the Kosciuszko National Park, Forestry Corporation for use in other parts of State Forest, sent off-site, used to construct temporary or permanent infrastructure for the development or Snowy 2.0 Main Works (in accordance with that infrastructure approval, or used to rehabilitate the site or the Snowy 2.0 Main Works site, the Proponent must ensure that any spoil disposed within Kosciuszko National Park are emplaced in the following emplacement areas:
- (a) Ravine Bay; or
  - (b) GF01; or
  - (c) Lobs Hole; or
  - (d) Tantangara for spoil containing naturally occurring asbestos only.

*Note: The location of these emplacement areas is shown in the figures in Appendix 2.*

## Spoil Management Plan

- B8. Prior to the commencement of construction, the Proponent must prepare a Spoil Management Plan to the satisfaction of the Planning Secretary for the development. This plan must:
- (a) be prepared by a suitably qualified and experienced person in consultation with the NPWS, FCNSW, EPA, Water Group, NRAR and DPI;
  - (b) include a description of the measures that would be implemented to:
    - (i) minimise the spoil generated by the development;
    - (ii) maximise the reuse of non-reactive spoil on site and in other parts of the Kosciuszko National Park, Bago State Forest and/or offsite;
    - (iii) minimise the water quality impacts of the temporary spoil stockpiles;
  - (c) provide an overarching framework for the management of all spoil generated on site, including the testing, classification, handling, temporary storage, chain of custody and disposal of spoil – that complies with the spoil management requirements in condition B7 above;
  - (d) include a detailed plan for managing the temporary spoil stockpiles of the development, which includes suitable triggers for remedial measures (if necessary) and describes the contingency measures that would be implemented to address any water quality risks;
  - (e) investigating, assessing and managing contaminated land and soils in the development area;
  - (f) investigation, assessing and managing the potential for naturally occurring asbestos, potentially acid forming material and other hazardous materials in the development area;
  - (g) include a detailed plan for managing and the disposal of all the reactive or contaminated spoil generated on site, including the contingency measures that would be implemented if the volumes of this spoil are greater than expected and unsuitable for land disposal;
  - (h) include a program to monitor and publicly report on:
    - (i) the management of spoil on site;
    - (ii) progress against the detailed completion criteria and performance indicators.

Following the Planning Secretary's approval, the Proponent must implement the approved Spoil Management Plan.

## Water Supply

- B9. The Proponent must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of the development to match its available water supply.

*Note: Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain the necessary water licences for the development.*

## Erosion and Sedimentation

- B10. The Proponent must:
- (a) minimise erosion and control sediment generation;
  - (b) take all reasonable and feasible measures to prevent a discharge to waters. This may include, but need not be limited to:
    - (i) adopt enhanced erosion and sediment controls, taking into consideration the best available information from the Snowy 2.0 Main Works project;
    - (ii) minimising the volume of dirty water generated onsite; and
    - (iii) exploring and implementing beneficial reuse opportunities such as irrigation and dust suppression.

## Pollution of Waters

- B11. Unless otherwise authorised by an EPL the Proponent must ensure the development does not cause any water pollution, as defined under Section 120 of the POEO Act.
- B12. The Proponent must:
- (a) ensure that appropriate components of the substation are suitably bunded;
  - (b) ensure that all liquid waste captured by the substation's spill oil containment system is classified, transported, and disposed of at a facility that can lawfully accept the waste; and
  - (c) minimise any spills of hazardous materials or hydrocarbons, and clean up any spills as soon as possible after they occur.
- B13. The Proponent must ensure that any groundwater dewatering activities do not discharge to watercourses.

## Riparian Areas

B14. The Proponent must ensure:

- (a) all activities on waterfront land are constructed in accordance with the *Guidelines for Controlled Activities on Waterfront Land* (2012), unless DPE Water agrees otherwise; and
- (b) the geomorphic condition of the major rivers and distributary channels crossed by the development is not impacted.

## Flooding

B15. The Proponent must ensure that the development:

- (a) does not materially alter the flood storage capacity, flows or characteristics in the development area or off-site; and
- (b) is designed, constructed and maintained to reduce impacts on surface water, localised flooding and groundwater at the site,

unless otherwise agreed by either FCNSW or NPWS.

## Water Management Plan

B16. Prior to the commencement of construction, the Proponent must prepare a Water Management Plan for the development to the satisfaction of the Planning Secretary. This sub-plan must:

- (a) be prepared by a suitably qualified and experienced person in consultation with the EPA, FCNSW, NPWS, the Water Group and NSW DPI;
- (b) include provisions for:
  - (i) detailed baseline data on surface water flows and quality in the watercourses that could be affected by the development, and a program to augment this baseline data over time;
  - (ii) detailed criteria for determining surface water impacts of the development (flows, quality and flooding), including criteria for triggering remedial action (if necessary); and
  - (iii) a description of the measures that would be implemented to minimise the surface water impacts of the development and comply with the relevant water management requirements in conditions B10 to B15 are complied with; and
- (c) managing flood risk during construction.

Following the Planning Secretary's approval, the Proponent must implement the Water Management Plan.

## BIODIVERSITY

### Restrictions on Clearing and Habitat

B17. Unless otherwise agreed with the Planning Secretary, the Proponent must:

- (a) ensure that no more than:
  - (i) 9.35 ha of *Caladenia montana* species habitat
  - (ii) 89.06 ha of Gang-gang Cockatoo (breeding) species habitat
  - (iii) 10.86 ha of Masked Owl (breeding) species habitat
  - (iv) 117.29 ha of Eastern Pygmy-possum species habitat
  - (v) 59.03 ha of Yellow-bellied Glider species habitat; and
  - (vi) 1.67 ha of Booroolong Frog species habitat
  - (vii) is cleared for the development; and
- (b) minimise:
  - (i) the impacts of the development on hollow-bearing trees;
  - (ii) the impacts of the development on threatened species; and
  - (iii) the clearing of native vegetation and key habitat.

### Biodiversity Offset Package

B18. Prior to carrying out any development that would impact on biodiversity values outside Kosciuszko National Park, the Proponent must prepare a Biodiversity Offset Package (Package) that is consistent with the EIS, in consultation with BCS, to the satisfaction of the Planning Secretary in writing. The Package must include, but not necessarily be limited to:

- (a) details of the specific biodiversity offset measures to be implemented and delivered in accordance with the EIS;
- (b) the cost for each specific biodiversity offset measures, which would be required to be paid into the

Biodiversity Conservation Fund if the relevant measures is not implemented and delivered (as calculated in accordance with Division 6 of the *Biodiversity Conservation Act 2016* (NSW)) and the offset payment calculator that was established as of 9 August 2021;

- (c) the timing and responsibilities for the implementation and delivery of measures required in the Package; and
- (d) confirmation that the biodiversity offset measures will have been implemented and delivered by no later than 1 September 2024.

Following approval, the Proponent must implement and deliver the Biodiversity Offset Package.

- B19. Prior to carrying out any development outside of the Kosciuszko National Park that could impact the biodiversity values requiring offset, the Proponent or its nominee must lodge a bank guarantee with a total value of \$24,869,236, in accordance with the Deed of Agreement with the Planning Secretary executed on 1 September 2022. The Proponent must comply with the terms of the Deed.

*Note: this condition provides security to the Minister for the performance of the Proponent's obligations under this approval in relation to biodiversity offsets and release funds for payment into the Biodiversity Conservation Trust in the event that the biodiversity offsets (either in whole or part) are not delivered in accordance with the Package by the Proponent.*

#### **Biodiversity Offset Package (Kosciuszko National Park)**

- B20. Prior to carrying out any development that could impact the biodiversity values inside Kosciuszko National Park, the Proponent or its nominee must pay \$10,586,027 to the NPWS to offset the residual biodiversity impacts.

Notes:

- The NPWS will use these funds and any interest generated by these funds to enhance the biodiversity values of the Kosciuszko National Park. However, in limited circumstances where it is not possible to address all of the residual impacts of the development within Kosciuszko National Park, the NPWS may use some of these funds to ensure suitable conservation actions are carried outside the park.
- To ensure accountability, the NPWS will:
  - develop and implement a detailed program for the allocation of these funds to specific projects, focusing on the ecosystems and species affected by the development; and
  - monitor, evaluate and publicly report on the progress of the implementation of the detailed program and the effectiveness of the specific projects;
- The NPWS will develop and implement a specific program in consultation with DCCEW and BCS to carry out conservation actions to address the residual biodiversity impacts of the development on the following Commonwealth listed species and communities:
  - Booroolong Frog.

#### **Biodiversity Management Plan**

- B21. Prior to carrying out any development that could impact biodiversity values, unless the Planning Secretary agrees otherwise, the Proponent must prepare a Biodiversity Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced biodiversity expert/s in consultation with NPWS, BCS, FCNSW and DCCEW;
  - (b) be prepared in accordance with the *Biodiversity Development Assessment Report* (Revision 7, dated 22 August 2022);
  - (c) include a description of the measures that would be implemented to:
    - (i) ensure the development does not adversely affect the native vegetation and habitat outside the disturbance footprint;
    - (ii) minimise the clearing of native vegetation and habitat within the disturbance area;
    - (iii) minimise the impacts of the development on threatened flora and fauna species within the disturbance area and its surrounds, including the:
      - Caladenia montana;
      - Gang-gang Cockatoo;
      - Masked Owl;
      - Eastern Pygmy-possum;
      - Yellow-bellied Glider; and
      - Booroolong Frog
    - (iv) minimise the potential indirect impacts on threatened flora and fauna species, migratory species and 'at risk' species;
    - (v) minimise potential fauna strike in sensitive habitat areas on the road network within the site, including reducing speed limits between sunset and sunrise;
    - (vi) minimise the impacts on fauna on site, including undertaking pre-clearance surveys;
    - (vii) protect native vegetation and key fauna habitat outside the approved disturbance area;

- (viii) monitor the areas of partial clearance within three months of the commencement of construction and provision of a verification report to confirm if any changes are required to the construction vegetation clearing protocols;
- (ix) maximise the salvage of resources within the disturbance area for reuse in the restoration of vegetation and habitat on site, including native vegetative material, hollow logs, ground timber, and topsoil containing vegetative matter and native seed bank;
- (x) collect seeds within the approved disturbance area for use in the ecological rehabilitation of the site;
- (xi) minimise the spread of weeds, pathogens and feral pests on site, and import or export of these matters to or from the site;
- (xii) minimise the generation and dispersion of sediment to watercourses, particularly the Sheep Station Creek, Lick Hole Gully, Cave Gully, Wallaces Creek and Yarrangobilly River;
- (xiii) minimise the light spill from night works, including using directional and LED lighting; and
- (xiv) minimise bushfire risk.
- (d) include construction clearing and operation vegetation management protocols
- (e) include a strategy to address:
  - (i) management of activities within the 50 m exclusion zone of the Yarrangobilly River and its tributaries;
  - (ii) a trigger action response plan identifying actions to be implemented should any water quality criteria be exceeded focusing on the extent to which exceedances might affect the Booroolong Frog; and
- (f) include a program to monitor, evaluate and publicly report on the effectiveness of these measures.

Following the Planning Secretary's approval, the Proponent must implement the Biodiversity Management Plan.

## HERITAGE

### Protection of Heritage Items

- B22. The Proponent must ensure the development does not cause any direct or indirect impacts on:
- (a) any Aboriginal heritage items located outside the approved construction envelope (see Appendix 3); and
  - (b) any of the historic heritage items outside the construction envelope (see Appendix 3).
- B23. Prior to carrying out any activity that could harm heritage items, the Proponent must:
- (a) salvage and relocate all heritage items identified for salvage and relocation to a suitable alternative location, in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW, 2010);
  - (b) undertake archival recording, test excavation and/or salvage of the historic items listed in Table 5 and Table 7 of Appendix 3 if these items are to be affected by the development.

### Heritage Management Plan

- B24. Prior to carrying out any development that could directly or indirectly impact the heritage items identified in Appendix 3, the Proponent must prepare a Heritage Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared in consultation with Heritage Council, Heritage NSW, NPWS and Aboriginal Stakeholders;
  - (b) include a description of the measures that would be implemented for:
    - (i) protecting the heritage items identified in Table 1 of Appendix 3, including fencing off the heritage items (where required) prior to carrying out any development that could harm the heritage items, and protecting any items located outside the approved construction envelope;
    - (ii) salvaging and relocating the heritage items identified in condition B24;
    - (iii) where impacts cannot be avoided to R56 and R120, details of the proposed archaeological research design and excavation methodology, and findings of the Final Archaeological Excavation Report, in accordance with the relevant Heritage Council guidelines;
    - (iv) minimising and managing the impacts of the development on heritage items within the construction envelope, including a strategy for the long-term management of any heritage items or material collected during the test excavation or salvage works;
    - (v) a contingency plan and reporting procedure if:
      - heritage items outside the approved construction envelope are damaged;
      - previously unidentified heritage items are found; or

- Aboriginal skeletal material is discovered;
- (vi) ensuring workers on site receive suitable heritage inductions prior to carrying out any development on site, and that records are kept of these inductions; and
- (vii) ongoing consultation with Aboriginal stakeholders during the implementation of the plan; and
- (c) include a program to monitor and publicly report on the effectiveness of these measures and any heritage impacts of the development; and
- (d) include a program to publish;
  - (i) any detailed archival records required under the conditions of this approval; and
  - (ii) the findings of any excavations and salvage works.

Following the Planning Secretary's approval, the Proponent must implement the Heritage Management Plan.

## TRAFFIC AND TRANSPORT

### Designated Heavy and Heavy Vehicles Requiring Escort Routes

- B25. All heavy vehicles requiring escort associated with the development must only travel to and from the site via the Primary Access Routes described in the EIS, as identified in the figure in Appendix 4, unless the Planning Secretary agrees otherwise.

*Note: The Proponent is required to obtain relevant permits under the Heavy Vehicle National Law (NSW) for the use of over-dimensional vehicles on the road network.*

- B26. All heavy and light vehicles associated with the development:
- (a) must travel to and from the site via the Primary Access Route described in the EIS, as identified in the figure in Appendix 4; and
  - (b) may travel to and from the site via the Secondary Access Routes and Water Supply Routes, subject to the requirements in condition B31, to the satisfaction of the relevant roads authority/manager.

unless the Planning Secretary agrees otherwise.

### Transport Strategy

- B27. Prior to commencing construction in Project Area West, the Proponent must prepare a Transport Strategy, in consultation with the relevant roads authority/manager, to the satisfaction of the Planning Secretary, which:
- (a) identifies the location and type of any necessary road upgrades (including roads, intersections, crossing points, bridges and access points), including consideration of relevant amenity impacts;
  - (b) ensures that any road upgrades comply with the *Austroads Guide to Road Design* (as amended by TfNSW supplements), unless the relevant road authority agrees otherwise;
  - (c) includes a detailed assessment of potential impacts of any necessary road upgrades (such as heritage and biodiversity impacts), including consideration of appropriate mitigation measures;
  - (d) identifies whether intersections, crossing points and access points would be permanent or temporary; and
  - (e) includes measures or notifying, seeking feedback from and addressing the concerns of impacted residents along the route;
- B28. Prior to commencing construction in Project Area West, the proponent must implement the road upgrades and the mitigation measures identified in the Transport Strategy in condition B27, to the satisfaction of the relevant roads authority/manager.

### Road Maintenance

- B29. The Proponent must:
- (a) undertake an independent dilapidation survey to assess the:
    - (i) existing condition of all local roads on the transport route shown in the figure in Appendix 4 (including local road crossings) prior to construction, upgrading or decommissioning works; and
    - (ii) condition of all local roads on the transport route (including local road crossing):
      - within 1 month of the completion of construction, upgrading or decommissioning works, or within a timeframe agreed to by the relevant roads authority/manager;
      - on an annual basis during construction, or within a timeframe agreed to by the relevant roads authority/manager;
  - (b) repair (or pay the full costs associated with repairing) any damage to local roads on the transport route (including local road crossings);
  - (c) rehabilitate and/or make good any development related damage:
    - (i) identified during the construction and/or decommissioning works if it could endanger road safety,

as soon as possible after it is identified but within 7 days at the latest, unless the relevant road authority/manager agrees otherwise; and

- (ii) identified in any dilapidation survey completed after the construction, upgrading or decommissioning works within 2 months of the completion of the survey

to the satisfaction of the relevant roads authority/manager

#### **Vehicle Restrictions**

B30. The Proponent must:

- (a) restrict development-related vehicle speeds on Lobs Hole Ravine Road, Mine Trail Road and within the site to 30 km/h between sunset and sunrise, unless the Planning Secretary agrees otherwise;
- (b) restrict the use of Elliott Way inside KNP to no more than 8 heavy vehicles per day, for water cartage purposes only from the Snowy Hydro T2 Tailbay site;
- (c) restrict development-related vessel speeds on Talbingo Reservoir to current TfNSW speed limits.

#### **Bridge Crossing – Sheep Station Creek**

B31. The Proponent must ensure that any temporary and the permanent bridge over Sheep Station Creek is designed and constructed to comply with the relevant requirements of the:

- (a) Relevant Austroads Standards (such as elevating them above the 1% AEP flood level);
- (b) Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018); and
- (c) Policy and Guidelines for Fish Habitat Conservation (DPI, 2013) and Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries, 2003).

#### **Traffic and Transport Management Plan**

B32. Prior to commencing construction or road upgrades identified in condition B27 (whichever comes first), the Proponent must prepare a Traffic Management Plan for the development in consultation with FCNSW, NPWS, TfNSW, Snowy Valleys Council, Snowy Monaro Regional Council and NSW Police, and to the satisfaction of the Planning Secretary. This plan must include:

- (a) details of the transport route to be used for all development-related traffic;
- (b) details of the road upgrade works required by condition B27 of this approval;
- (c) details of the measures that would be implemented to comply with the transport management requirements in conditions B25 to B30 above;
- (d) details of the measures that would be implemented to:
  - (i) minimise traffic safety impacts of the development and disruptions to local road users during construction, upgrading or decommissioning works, including:
    - a description of the proposed dilapidation surveys required by condition B29 of this approval;
    - a description of the proposed measures for managing traffic flow around the work sites, construction compounds and accommodation camp;
    - scheduling heavy vehicle movements to avoid peak periods;
    - minimising convoy lengths;
    - reducing the speeds of development-related traffic at key intersections along the Snowy Mountains Highway, including the Link Road intersection;
    - temporary traffic controls, including detours and signage;
    - procedures for stringing cables and transmission lines across roads and Talbingo Reservoir;
    - notifying the local community about development-related traffic impacts;
    - procedures for receiving and addressing complaints from the community about development-related traffic;
    - minimising potential cumulative traffic impacts with other projects in the area;
    - minimising potential conflict between development-related traffic and rail services, stock movements and school buses, in consultation with local schools, including preventing queueing on the public road network;
    - minimising impacts to the public using Talbingo Reservoir and any water related infrastructure such as the O'Hares campground boat ramp;
    - implementing measures to minimise development-related traffic on the public road network outside standard construction hours;
    - minimising dirt and debris tracked on to the public road network from development related-traffic;
    - details of the employee shuttle bus service, including pick-up and drop-off points and associated parking arrangements for construction workers, and measures to encourage

- employee use of this service;
- encouraging car-pooling or ride sharing by employees;
- scheduling the haulage vehicle movements to minimise convoy lengths or platoons;
- responding to local climate conditions that may affect road safety, such as snow, ice, fog, dust, wet weather and flooding;
- ensuring loaded vehicles entering or leaving the site have their loads covered or contained and leave site in a forward direction;
- responding to any emergency repair or maintenance requirements;
- provisions for maintaining access to the site for FCNWS, NPWS and emergency vehicle access to the site at all times;
- a traffic management system for managing over-dimensional vehicles; and
- fatigue management;
- (ii) minimise the impacts of the road and intersection upgrades of the development;
- (iii) provide sufficient parking on site for all vehicles and ensure vehicles associated with the development do not park on the public road network;
- (iv) maintain all roads and water-related infrastructure on site in a safe and serviceable condition;
- (v) minimise the traffic noise impacts of the development;
- (e) details of the haulage of spoil to be disposed within Kosciuszko National Park in accordance with condition B7;
- (f) ensure any vessel or structure occupying waters must display appropriate shapes and lights in accordance with the *Marine Safety (Domestic Commercial Vessel) National Law 2012*;
- (g) include a detailed:
  - (i) Heavy Vehicle Salvage Plan;
  - (ii) Driver's Code of Conduct;
  - (iii) Marine Transport Management Plan;
  - (iv) Snow & Ice Traffic Management Plan;
  - (v) Communication Strategy to keep the public informed about the impacts of the development;
- (h) include a program to:
  - (i) ensure drivers working on the development receive suitable training on the code of conduct and any other relevant obligations under the Traffic Management Plan;
  - (ii) record and track vehicle movements; and
  - (iii) monitor and publicly report on the effectiveness of these measures.

Following the Planning Secretary's approval, the Proponent must implement the Traffic Management Plan.

#### **Long-Term Road Strategy – Kosciuszko National Park**

- B33. Within 2 years of the commencement of construction, unless the Planning Secretary agrees otherwise, the Proponent must prepare a Long-Term Road Strategy for the development to the satisfaction of NPWS. This strategy must:
- (a) identify the road network within the Kosciuszko National Park required for the development during operations, including the detailed specifications for this road network;
  - (b) identify which roads within the Kosciuszko National Park can be narrowed or closed following construction and then rehabilitated;
  - (c) include a detailed program for the rehabilitation of these roads, which can be incorporated into the Rehabilitation Management Plan for the development; and
  - (d) identify future road maintenance and funding responsibilities for the long-term road network following construction.

Following NPWS's approval, the Proponent must implement the Long-Term Road Strategy.

## VISUAL AMENITY

### Visual Appearance

B34. The Proponent must:

- (a) take reasonable steps to minimise the visual impacts of the development;
- (b) ensure all transmission towers blend into the surrounding landscape as far as possible and minimises the potential for glare and reflection by either:
  - (i) painting towers with a colour that; and/or
  - (ii) pre-dulling towers with a finish that;
- (c) ensure the visual appearance of ancillary facilities (including paint colours), blends in as far as possible with the surrounding landscape; and
- (d) not mount any advertising signs or logos on site, except where this is required for identification or safety purposes.

### Lighting

B35. The Proponent must:

- (a) take all reasonable steps to minimise the off-site visual impacts of the development; and
- (b) ensure that any external lighting associated with the development:
  - (i) is installed as low intensity lighting (except where required for safety or emergency purposes);
  - (ii) does not shine above the horizontal; and
  - (iii) complies with Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting.

### Visual Impact Management Plan

B36. Prior to the commencement of construction, the Proponent must prepare a Visual Impact Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:

- (a) be prepared in consultation with FCNSW and the NPWS;
- (b) describe the measures that would be implemented to comply with condition B34 above; and
- (c) include detailed plans for minimising the visual impacts of the following permanent infrastructure:
  - (i) Maragle switchyard and substation;
  - (ii) transmission line, towers and easement.

Following the Planning Secretary's approval, the Proponent must implement the Visual Impact Management Plan for the development.

### PARK VALUES

B37. The Proponent must make the following payments to NPWS for residual impacts of the development on park values:

- (a) \$1 million prior to carrying out any development;
- (b) \$1 million within 1 year of commencing construction;
- (c) \$1 million within 2 years of commencing construction;
- (d) \$1 million within 3 years of commencing construction;
- (e) \$1 million within 4 years of commencing construction;

unless the Planning Secretary agrees otherwise.

*Note: The NPWS will use these funds and any interest generated by these funds to enhance the park values of the Kosciuszko National Park. The NPWS will:*

- develop a detailed program for the allocation of these funds to specific projects;
- monitor, evaluate and publicly report on the spending of these funds and the effectiveness of these projects.

- B38. Within 6 months of the commencement of construction, the Proponent will prepare an Additional Easement Rehabilitation Strategy to the satisfaction of NPWS, to undertake the following infrastructure projects, that addresses:
- (a) Providence Portal substation to Tantangara Dam – removal of transmission line, replacement with a standalone supply or underground line between the Snowy 2.0 Tantangara intake/portal area and Tantangara Dam area, and rehabilitation of the easement;
  - (b) Eucumbene Portal to Happy Jacks transmission – transmission lines being removed and replaced by an alternative standalone power supply and rehabilitation of the easement; and
  - (c) timing for each program of works.

Following approval, the Proponent must implement the Additional Easement Rehabilitation Strategy.

## HAZARD AND RISK

### Dangerous Goods

- B39. The Proponent must ensure that the storage, handling, and transport of dangerous goods is undertaken in accordance with the relevant Australian Standards and guidelines, particularly AS1940 *The storage and handling of flammable and combustible liquids* and AS/NZS 1596:2014 *The storage and handling of LP Gas*, the *Dangerous Goods Code*, and the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.

### Electric and Magnetic Fields

- B40. The Proponent must ensure that the design, construction and operation of the development is managed to comply with the applicable electric and magnetic fields (EMF) limits in the *International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines for limiting exposure to time-varying electric and magnetic fields (1Hz – 100 kHz)* (ICNIRP, 2010).

### Operating Conditions

- B41. The Proponent must:
- (a) minimise the fire risks of the development, including managing vegetation fuel loads on-site;
  - (b) ensure that the development;
    - (i) complies with the relevant asset protection requirement in the RFS's *Planning for Bushfire Protection 2019* (or equivalent) and Standards for Asset Protection Zones;
    - (ii) is suitably equipped to respond to any fire on site, including provision of a 20,000 litre water supply tank fitted with a 65 mm Storz fitting and a FRNSW compatible suction connection located at each of the construction compounds;
    - (iii) incorporates the recommendations of a fire risk assessment as per Transgrid's design standards;
  - (c) ensures that buildings within the compounds comply with Australian Standard AS3959-2018 *Construction of buildings in bushfire-prone areas* (or equivalent) and RFS's *Planning for Bushfire Protection 2019*;
  - (d) ensure any fire trails or asset protection zones associated with the development are wholly contained within the approved disturbance area;
  - (e) develop procedures to manage potential fires on site, in consultation with the RFS, FRNSW, FCNSW and NPWS;
  - (f) assist the RFS, FRNSW, FCNSW, NPWS and emergency services as much as practicable if there is a fire in the vicinity of the site; and
  - (g) notify the relevant local emergency management committee following completion of construction of the development, and prior to commencing operations.

## Emergency Plan

- B42. Prior to commencing construction, the Proponent must prepare and implement a comprehensive Emergency Plan and detailed emergency procedures for the development, in consultation with the Local Emergency Management Committee and to the satisfaction of the NPWS, FCNSW, RFS and FRNSW. This plan must:
- (a) be prepared by a suitably qualified and experienced person/s whose appointment has been endorsed by NPWS and FCNSW;
  - (b) be consistent with:
    - (i) the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning'*,
    - (ii) *Kosciuszko National Park Fire Management Strategy 2008-2013* (NPWS, 2008),
    - (iii) FCNSW Guidelines including the *Code of Practice for Timber Harvesting in Softwood Plantations 2022*;
    - (iv) RFS's *Planning for Bushfire Protection 2019* (or equivalent);
    - (v) RFS's *Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan* (RFS, 2014);
    - (vi) the *Fire and Rescue NSW Act 1989*; and
    - (vii) the *Work Health and Safety (WHS) Act 2011*;
  - (c) include evacuation protocols for the site;
  - (d) describe the measures that would be implemented to:
    - (i) minimise the risk of bushfire on site;
    - (ii) protect the assets on site from bushfires;
    - (iii) respond to any bushfires on or in the vicinity of the site;
    - (iv) minimise flood risks on site, including flooding response procedures;
    - (v) minimise the risk of landslips on site, including landslip response procedures;
    - (vi) evacuate the site in an emergency; and
  - (e) include details on how live transmission infrastructure can be safely isolated in an emergency.

The Proponent must implement the Emergency Plan for the duration of the development.

## WASTE

- B43. Excluding the spoil generated by the development from within KNP, waste generated during construction, operation, upgrading and decommissioning must be dealt with in accordance with the following priorities:
- (a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;
  - (b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and
  - (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.
- B44. The importation of waste and storage, treatment, processing, reprocessing or disposal of such waste must comply with the *Protection of the Environment Operations Act 1997*, the *Protection of the Environment Operations (Waste) Regulation 2014*, and orders or exemptions under the regulation.
- B45. Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.
- B46. All waste that is removed from site must be classified in accordance with the EPA's *Waste Classification Guidelines*, with appropriate records and disposal dockets retained for audit purposes.

## REHABILITATION

B47. The Proponent must:

- (a) rehabilitate all parts of the site within the Kosciuszko National Park to comply with the rehabilitation objectives in Table 2 and the ecological rehabilitation objectives in Table 3;
- (b) rehabilitate the Bago State Forest site to comply with the rehabilitation objectives in Table 2;
- (c) complete the rehabilitation of the site, including the removal of all temporary infrastructure, creation of landforms, narrowing of roads within 3 years of completing construction;
- (d) complete the ecological rehabilitation of the site, apart from areas used for operations, within 20 years of completing construction;
- (e) complete the final rehabilitation of the site, including the removal of all remaining infrastructure within 3 years of decommissioning the development; and
- (f) complete the ecological rehabilitation of the areas used for operations within 20 years of decommissioning the development.

**Table 2 Rehabilitation Objectives**

| Feature        | Objective                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land Use       | Return the site to its previous use in consultation with NPWS and FCNSW                                                                                                                                                                                                                                                                                                       |
| Land           | Safe, stable and non-polluting;<br><br>Progressively rehabilitate the site as soon as possible following disturbance;<br><br>Employ interim rehabilitation strategies to areas that can't be permanently rehabilitated yet to minimise dust generation, erosion, uncontrolled discharges of sediment, and the spread of weeds to other parts of the Kosciuszko National Park; |
| Infrastructure | Decommission and remove infrastructure, unless NPWS and/or FCNSW agrees otherwise;                                                                                                                                                                                                                                                                                            |
| Community      | Ensure public safety                                                                                                                                                                                                                                                                                                                                                          |

**Table 3 | Ecological rehabilitation objectives, including indicative completion criteria and performance indicators**

| Ecological rehabilitation objective                                                                                                                                                                                                                                  | Completion criteria                                                                                                                                                                                                                                                                                                                                                            | Performance indicators                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Objective 1:</b> The vegetation composition of the rehabilitation is recognisable as a plant community type (PCT) contained within the BioNet Vegetation Classification and which was present on site prior to the project's temporary disturbance                | (a) Native plant species composition is characteristic of the target PCT based on suitable analysis against a reference data set using the PCT Assignment Tool<br>(b) The target PCT BAM composition score is within or greater than the inter-quartile range of local reference site values for the assigned PCT.                                                             | All native vascular plant species are monitored to species level from fixed 0.04 ha monitoring plots in accordance with the BAM, transect intercept method, and/or other method approved by the Planning Secretary. Monitoring should include appropriate reference sites outside the disturbance area, ideally capturing the range of variation of the 2003 and 2019/20 fires.                   |
| <b>Objective 2:</b> The vegetation structure of the rehabilitation is recognisable as, or shows a substantial trend towards, a PCT contained within the BioNet Vegetation Classification and which was present on site prior to the project's temporary disturbance. | Cover, abundance and height range of native plant growth forms are characteristic of the target PCTs and within or greater than the inter-quartile range of local reference site values for the assigned PCT.                                                                                                                                                                  | The cover, abundance and height range of all native vascular plant species are monitored from fixed 0.04 ha monitoring plots in accordance with the BAM, transect intercept method, and/or other method approved by the Planning Secretary.                                                                                                                                                       |
| <b>Objective 3:</b> Levels of ecosystem function have been established that demonstrate the rehabilitation is self-sustainable or shows a substantial trend towards a self-sustaining state.                                                                         | Growth medium, including topsoil, is suitable for target PCTs establishment, and indicators of nutrient cycling are suitable for sustaining the target PCTs. All priority attributes of nutrient cycling, soil processes and both subsoil and topsoil properties should be within or greater than the interquartile range of local reference site values for the assigned PCT. | Growth medium, covering both subsoil and topsoil properties, and soil processes are monitored using methods approved by the Planning Secretary.                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                      | Rehabilitation vegetation communities are maturing, and natural recruitment is occurring for species within each growth form at rates within or greater than the interquartile range of local reference site values for the assigned PCT.                                                                                                                                      | All species are monitored for establishment of second-generation juveniles/immatures and capacity for recruitment from fixed 0.04 ha monitoring plots in accordance with the BAM, transect intercept method, and/or other method approved by the Planning Secretary                                                                                                                               |
|                                                                                                                                                                                                                                                                      | The number and ground cover of weed species is comparable to, or less than, the interquartile range of local reference site values for the assigned PCT.                                                                                                                                                                                                                       | Number and ground cover of weed species are monitored from fixed 0.04 ha monitoring plots in accordance with the BAM, transect intercept method, and/or other method approved by the Planning Secretary.                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                      | Fauna habitat features and resources (food and shelter characteristics) within the rehabilitation vegetation communities are present and within or greater than the interquartile range of local reference site values for the assigned PCT.                                                                                                                                   | Presence/absence of some fauna habitat features (e.g. flowering plant, decorticating bark, stags with hollows and/or nest boxes) and quantitative assessment of other features (e.g. leaf litter cover, bare ground, wood debris) are monitored from fixed 0.04 ha monitoring plots in accordance with the BAM, transect intercept method and/or other method approved by the Planning Secretary. |

## Rehabilitation Management Plan

- B48. Within 12 months following commencement of construction, the Proponent must prepare a Rehabilitation Management Plan for the development to the satisfaction of the Planning Secretary. This plan must:
- (a) be prepared by a suitably qualified and experienced person in consultation with the NPWS, FCNSW, BCS, EPA, NSW DPI and TfNSW;
  - (b) be consistent with the Spoil Management Plan, Long-Term Road Strategy and Visual Mitigation Management Plan;
  - (c) include a conceptual plan for the rehabilitation of the whole site;
  - (d) include the detailed program for the rehabilitation of roads in the Kosciuszko National Park in accordance with the approved Long-Term Road Strategy;
  - (e) include a topsoil balance for the site, which includes a strategy for:
    - (i) maximising the reuse of topsoil on site (provided it is suitable for reuse);
    - (ii) using other suitable growth media; and
    - (iii) importing additional topsoil to the site (if necessary);
  - (f) include a native seed collection and propagation program in accordance with Florabank ([www.florabank.org.au](http://www.florabank.org.au)) and/or NPWS guidelines for the site, which includes a strategy for:
    - (i) maximising the collection and use of native seed resources from the site prior to disturbance;
    - (ii) collecting seed from the surrounding area, including other parts of the Kosciuszko National Park (with the approval of the NPWS); and
    - (iii) prioritising the use of local sources of seed for the ecological rehabilitation of the site;
  - (g) include a detailed ecological rehabilitation management plan for the development that:
    - (i) provides an overarching description of the proposed ecological rehabilitation works, identifying the:
      - plant community types to be established; and
      - area of land to be established for each plant community type;
    - (ii) provides maps showing the proposed location of each plant community type;
    - (iii) describes the detailed measures that would be implemented to comply with the ecological rehabilitation objectives in Table 3;
  - (h) identify the key risks to the successful completion of the rehabilitation and describe the contingency measures that would be implemented to address these risks;
  - (i) include detailed completion criteria and performance indicators for the rehabilitation of the development (having regard) to the criteria and indicators in Table 3, including criteria for triggering remedial action (if necessary); and
  - (j) include a program to monitor and publicly report on:
    - (i) the rehabilitation of the site;
    - (ii) the implementation of the each of the detailed plans, including the effectiveness of the proposed mitigation and contingency measures; and
    - (iii) progress against the detailed completion criteria and performance indicators.

Following the Planning Secretary's approval, the Proponent must implement the Rehabilitation Management Plan.

## **PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING**

### **ENVIRONMENTAL MANAGEMENT STRATEGY**

- C1. Prior to commencing development, the Proponent must prepare an Environmental Management Strategy for the development to the satisfaction of the Planning Secretary. This strategy must:
- (a) provide the strategic framework for environmental management of the development;
  - (b) identify the statutory approvals that apply to the development;
  - (c) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (d) set out the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - (ii) receive, handle, respond to, and record complaints;
    - (iii) resolve any disputes that may arise;
    - (iv) respond to any non-compliance;
    - (v) respond to emergencies; and
  - (e) include:
    - (i) references to any strategies, plans and programs approved under the conditions of this approval; and
    - (ii) a clear plan depicting all the monitoring to be carried out in relation to the development, including a table summarising all the monitoring and reporting obligations under the conditions of this approval.

Following the Planning Secretary's approval, the Proponent must implement the Environmental Management Strategy.

### **REVISION OF STRATEGIES, PLANS AND PROGRAMS**

- C2. The Proponent must review and, if necessary, revise the strategies, plans or programs required under this approval to the satisfaction of the Planning Secretary within 3 months of the:
- (a) the submission of an incident report under condition C7;
  - (b) the submission of an Independent Audit under condition C10;
  - (c) the approval of any modification of the conditions of this approval; or
  - (d) the issue of a direction of the Planning Secretary under condition A2 which requires a review.

### **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

- C3. With the approval of the Planning Secretary, the Proponent may:
- (a) prepare and submit any strategy, plan or program required by this approval on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
  - (b) combine any strategy, plan or program required by this approval (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
  - (c) update any strategy, plan or program required by this approval (to ensure the strategies, plans and programs required under this approval are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this approval.

If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

If the Planning Secretary agrees, a strategy, plan or program may be staged without addressing particular requirements of the relevant condition of this approval if those requirements are not applicable to the particular stage.

## NOTIFICATIONS

### Notification of Department

- C4. Prior to commencing development, construction, operations, upgrading or decommissioning of the development, the Proponent must notify the Department in writing via the Major Projects website portal and NPWS and FCNSW of the date of commencing the relevant phase.

If any of these phases of the development are to be staged, then the Proponent must notify the Department in writing prior to commencing the relevant stage, and clearly identify the development that would be carried out during the relevant stage.

### Final Layout Plans

- C5. Prior to commencing construction, the Proponent must submit detailed plans of the final layout of the development to the Department via the Major Projects website, including:
- (a) details on siting of transmission towers and ancillary facilities; and
  - (b) showing comparison to the approved layout and approved vegetation clearing.

The Proponent must ensure that the development is constructed in accordance with the Final Layout Plans.

### Works as Executed Plans

- C6. Prior to commencing operations, the Proponent must submit plans that confirm the constructed layout of the development and showing comparison to the final layout plans to the Planning Secretary, via the Major Projects website.

### Incident Notification

- C7. The Department and the NPWS must be notified via the Major Projects website portal immediately after the Proponent becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one), and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 5.

### Non-Compliance Notification

- C8. The Planning Secretary and the NPWS must be notified in writing via the Major Projects website portal within seven days after the Proponent becomes aware of any non-compliance.
- C9. A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

*Note: A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.*

## INDEPENDENT ENVIRONMENTAL AUDIT

- C10. Independent Audits of the development must be conducted and carried out at the frequency described and in accordance with the *Independent Audit Post Approval Requirements (2020)*, unless otherwise agreed or directed by the Planning Secretary.

## ACCESS TO INFORMATION

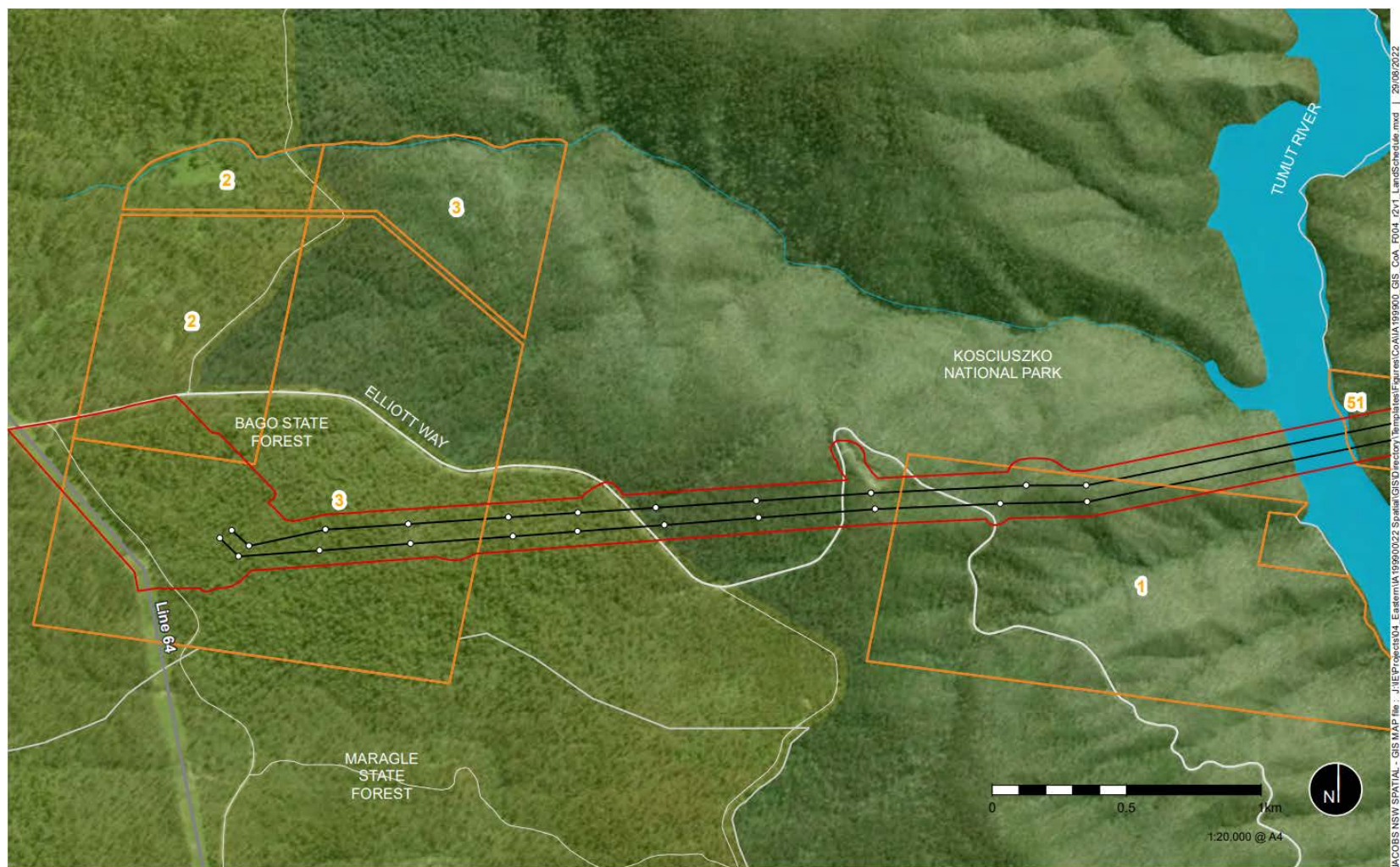
- C11. The Proponent must:
- (a) make the following information and documents publicly available on its website as relevant to the stage of the development:
    - (i) the EIS;
    - (ii) the final layout plans for the development;
    - (iii) current statutory approvals for the development;
    - (iv) approved strategies, plans or programs required under the conditions of this approval;
    - (v) the proposed staging plans for the development if the construction, operation and/or decommissioning of the development is to be staged;
    - (vi) a comprehensive summary of the monitoring results of the development, which have been

reported in accordance with the various plans and programs approved under the conditions of this approval;

- (vii) how complaints about the development can be made;
  - (viii) any independent environmental audit, and the Proponent's response to the recommendations in any audit; and
  - (ix) any other matter required by the Planning Secretary; and
- (b) keep such information up to date.

**APPENDIX 1  
SCHEDULE OF LANDS**

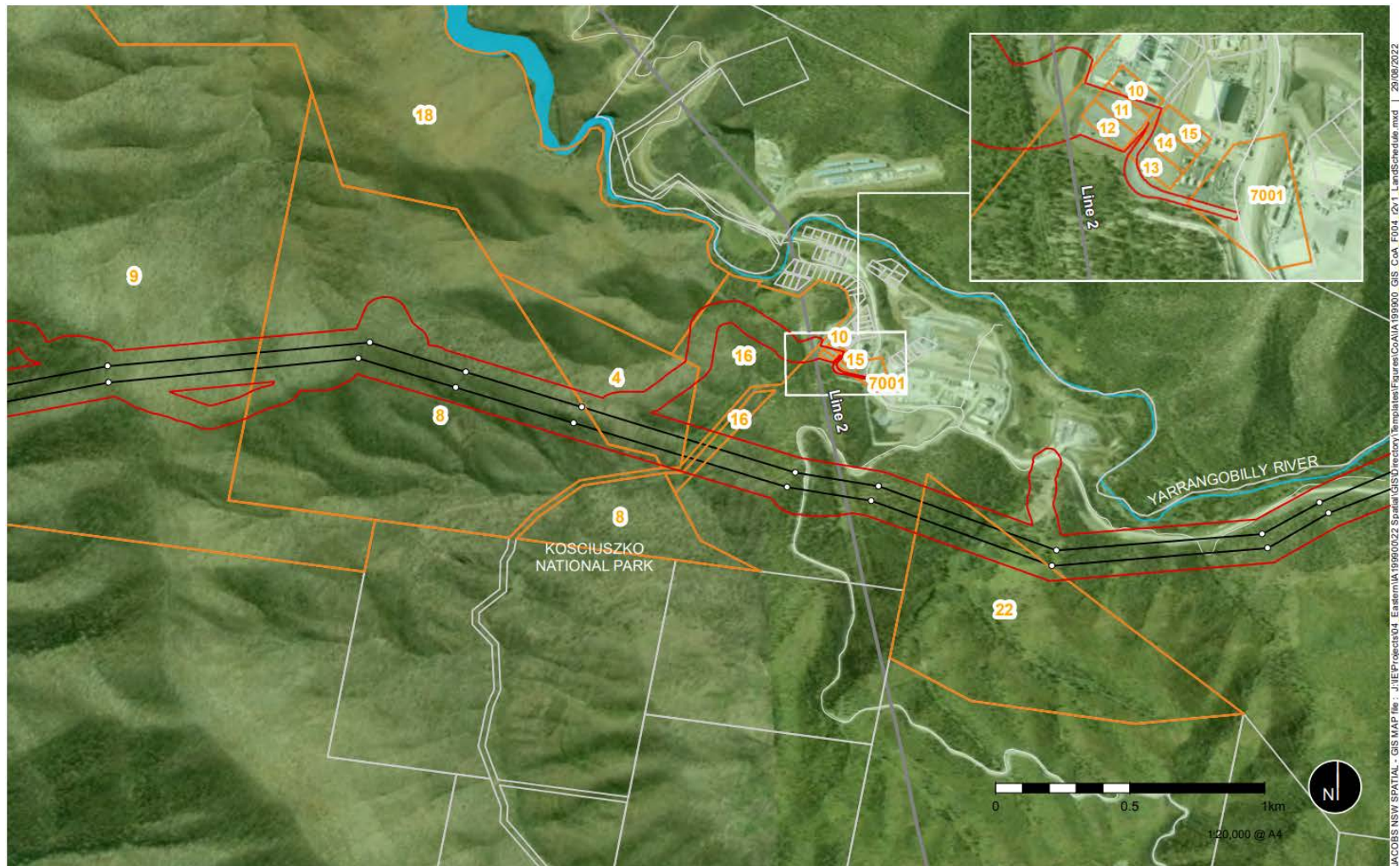
| <b>Lot Number</b> | <b>Deposited Plan (DP)</b> |
|-------------------|----------------------------|
| <b>10</b>         | DP758870                   |
| <b>11</b>         | DP758870                   |
| <b>12</b>         | DP758870                   |
| <b>13</b>         | DP758870                   |
| <b>14</b>         | DP758870                   |
| <b>15</b>         | DP758870                   |
| <b>1</b>          | DP755895                   |
| <b>2</b>          | DP755895                   |
| <b>3</b>          | DP755895                   |
| <b>4</b>          | DP755888                   |
| <b>8</b>          | DP755888                   |
| <b>9</b>          | DP755888                   |
| <b>16</b>         | DP755888                   |
| <b>18</b>         | DP755888                   |
| <b>22</b>         | DP755888                   |
| <b>51</b>         | DP755888                   |
| <b>7001</b>       | DP1056249                  |



Schedule of land

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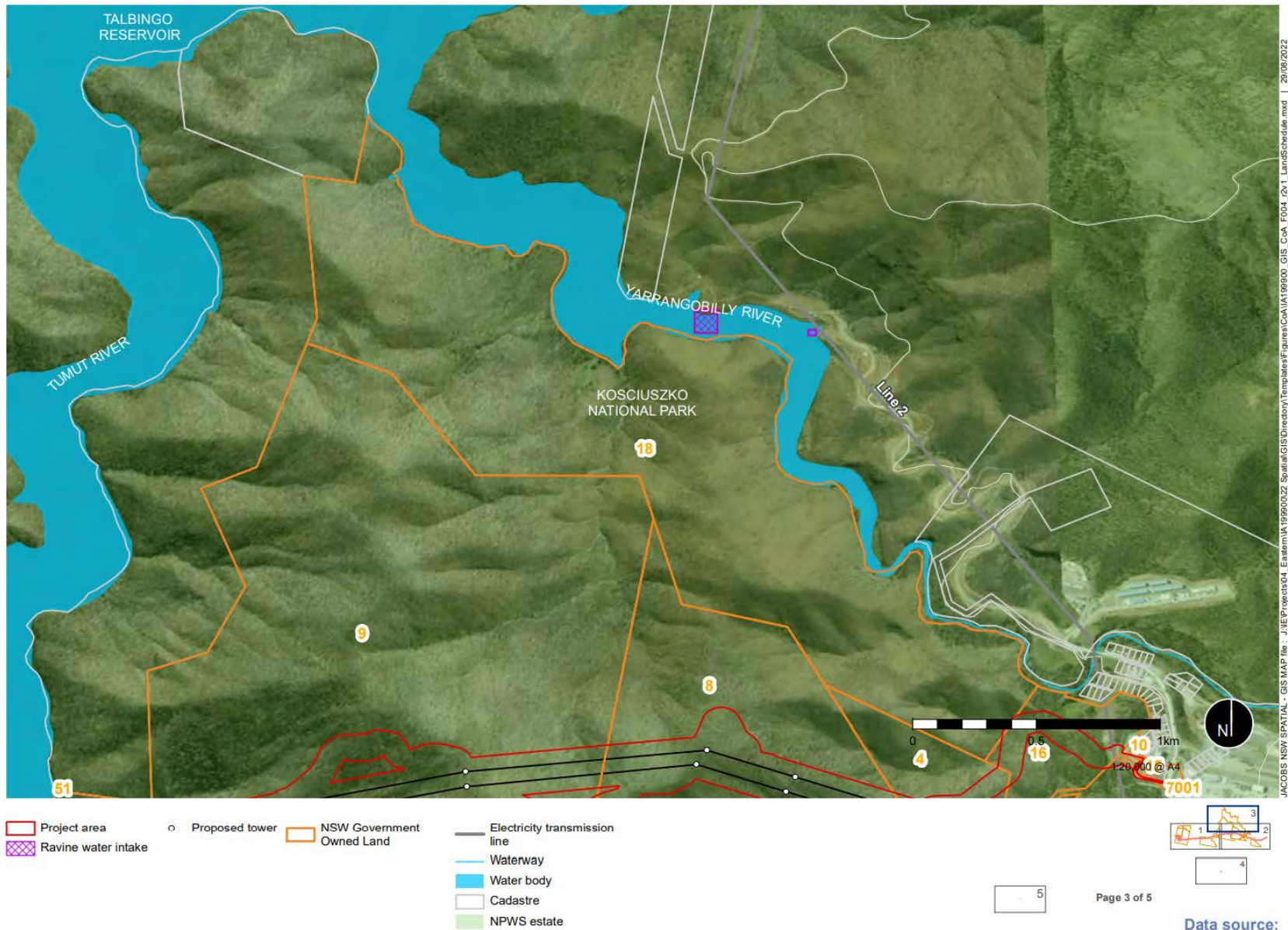
Data source:  
Jacobs 2021, TransGrid, EMM 2021,  
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Schedule of land



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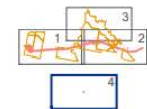


Schedule of land



- T2 Tailbay water extraction
- Waterway
- Water body
- Cadastre
- State forest
- NPWS estate

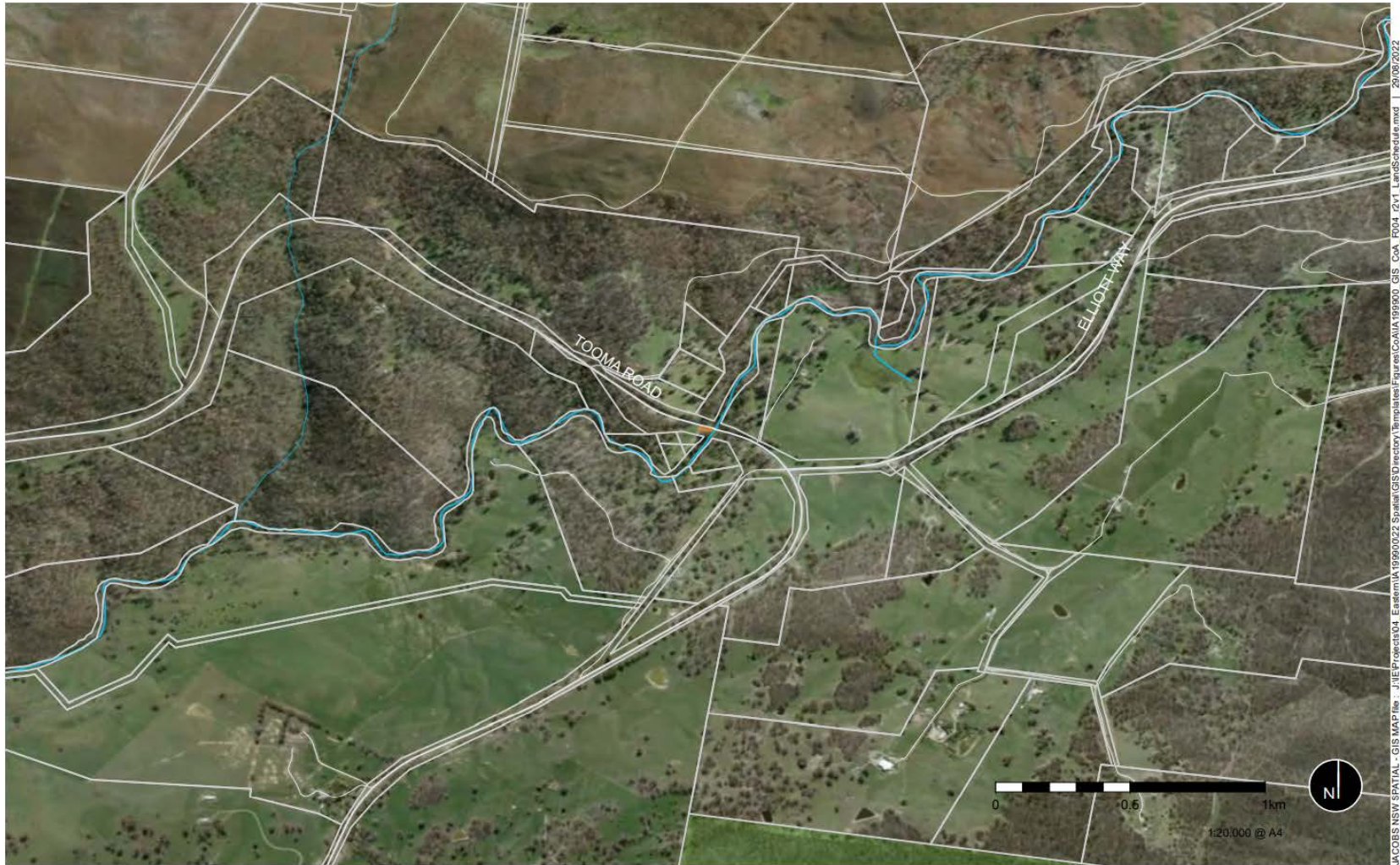
Schedule of land



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-  Paddys river water extraction
-  Waterway
-  Cadastre
-  NPWS estate

Schedule of land



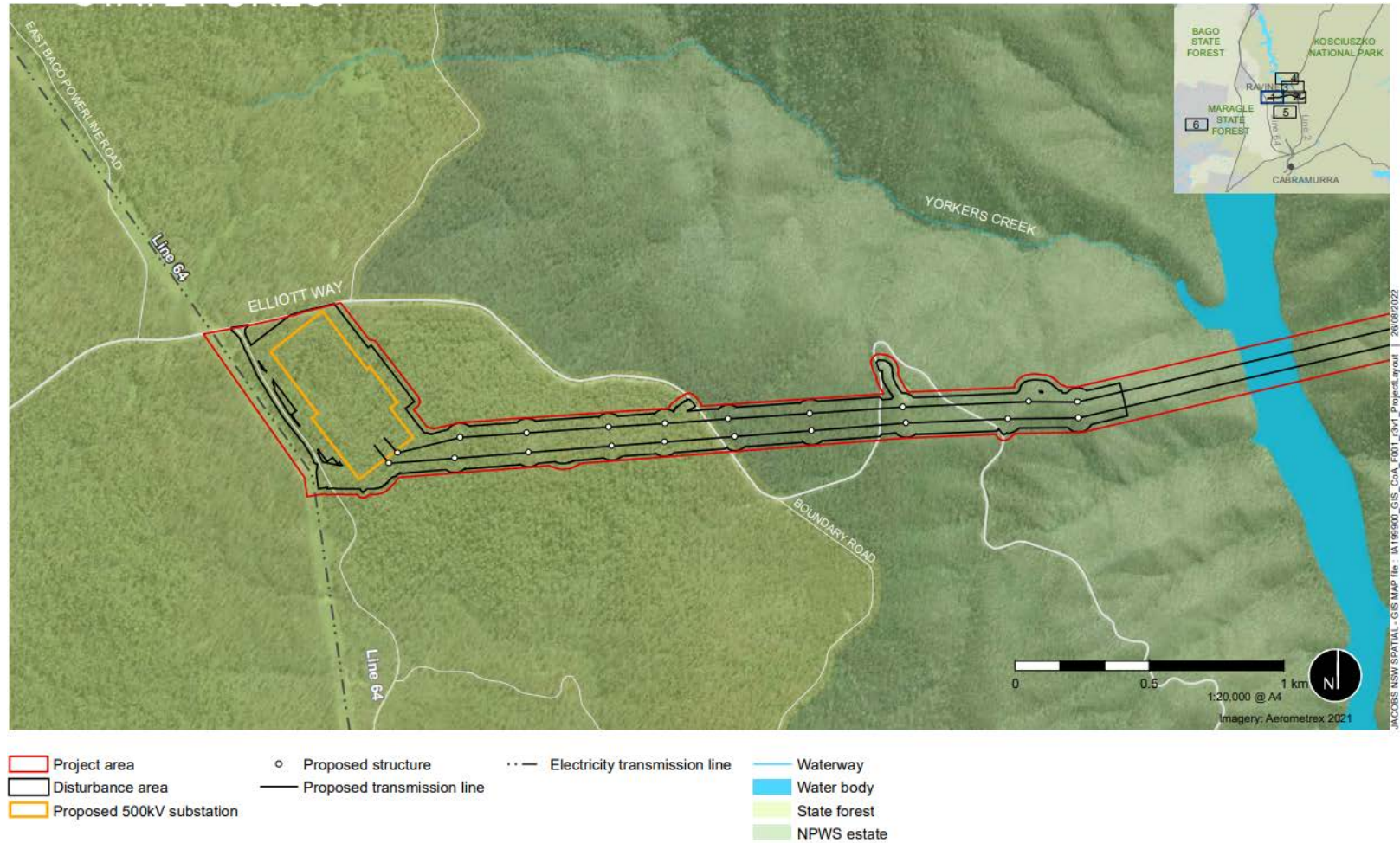
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## APPENDIX 2 DEVELOPMENT LAYOUT

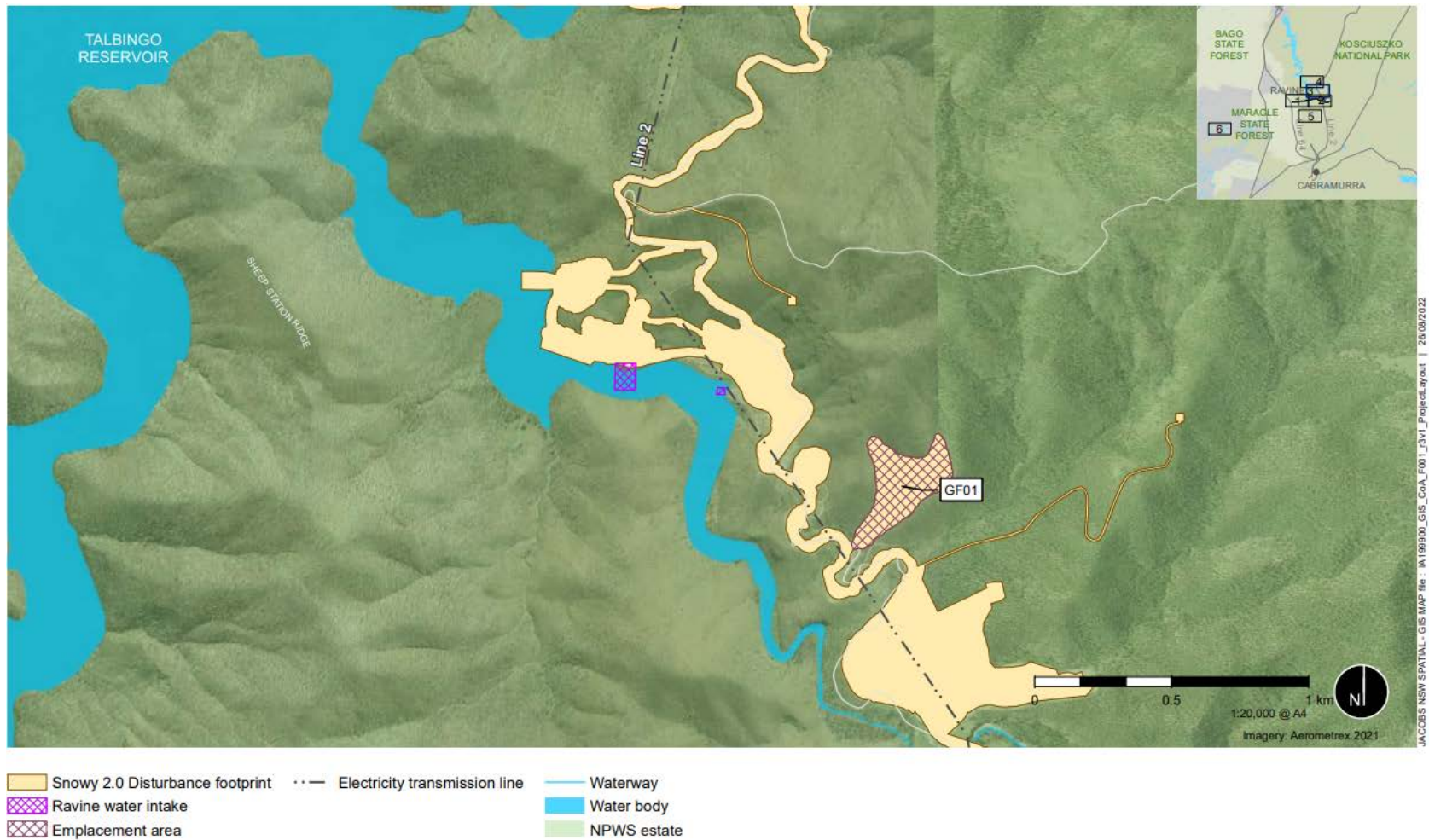


Project layout

**Data source:**

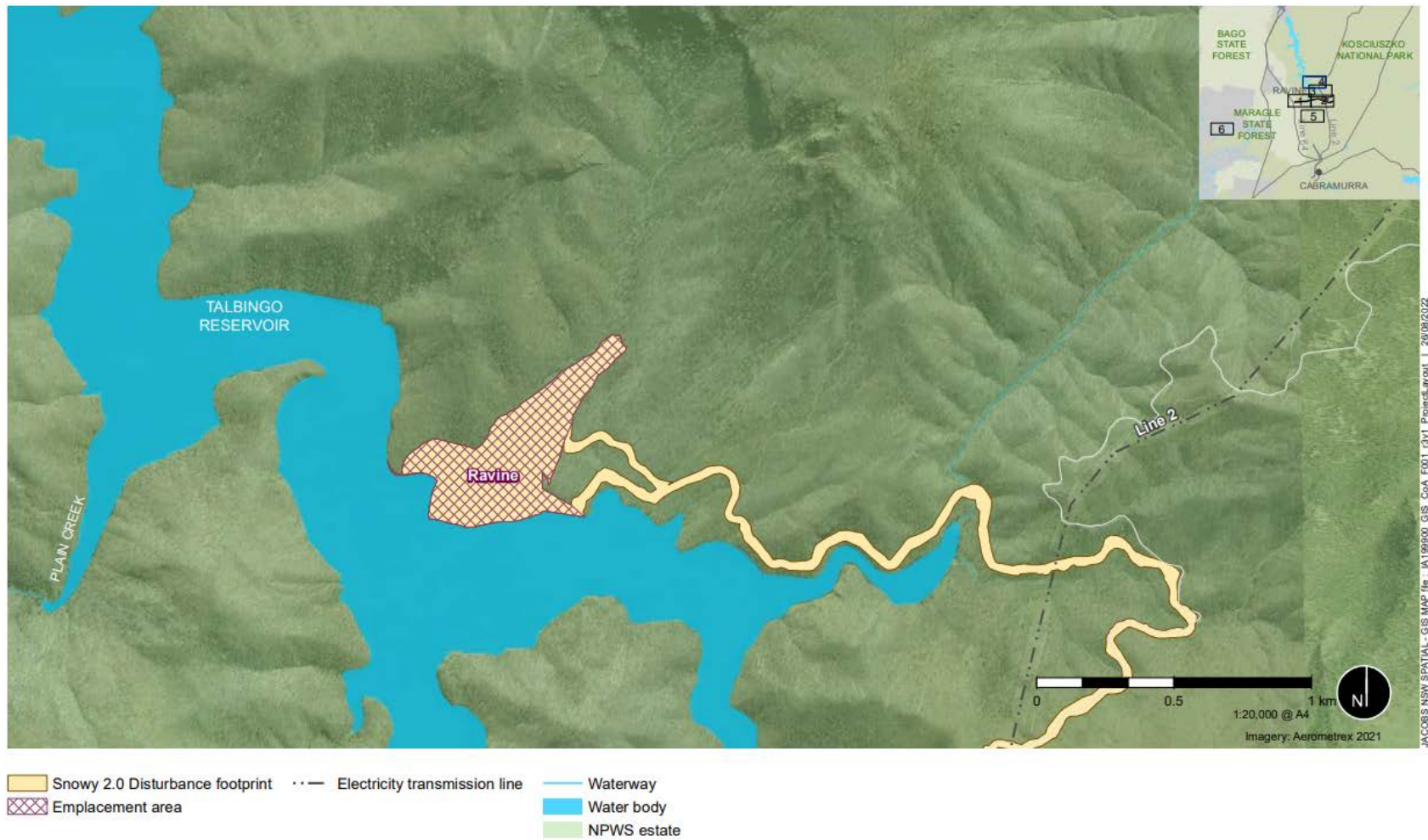
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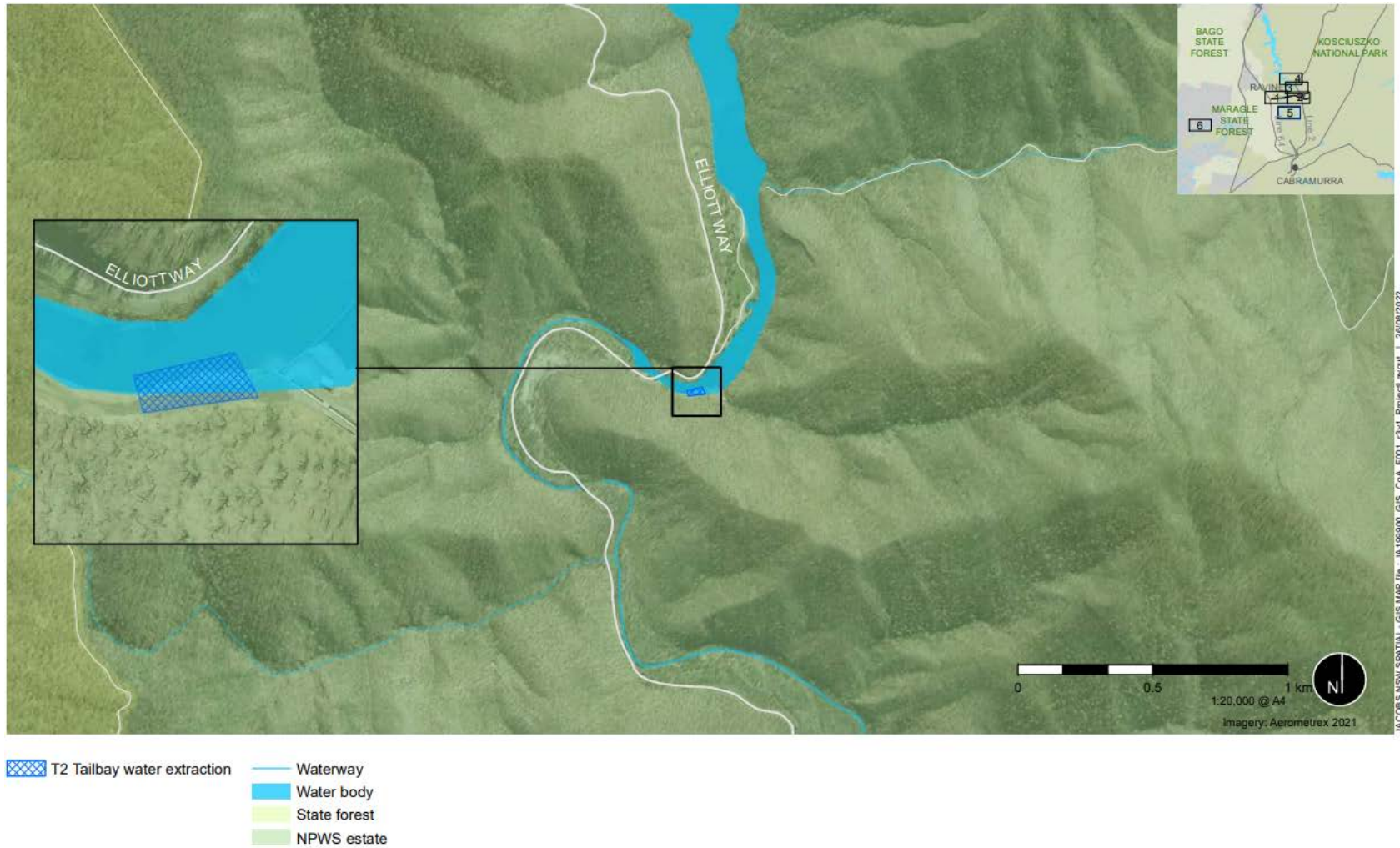
Project layout

**Data source:**  
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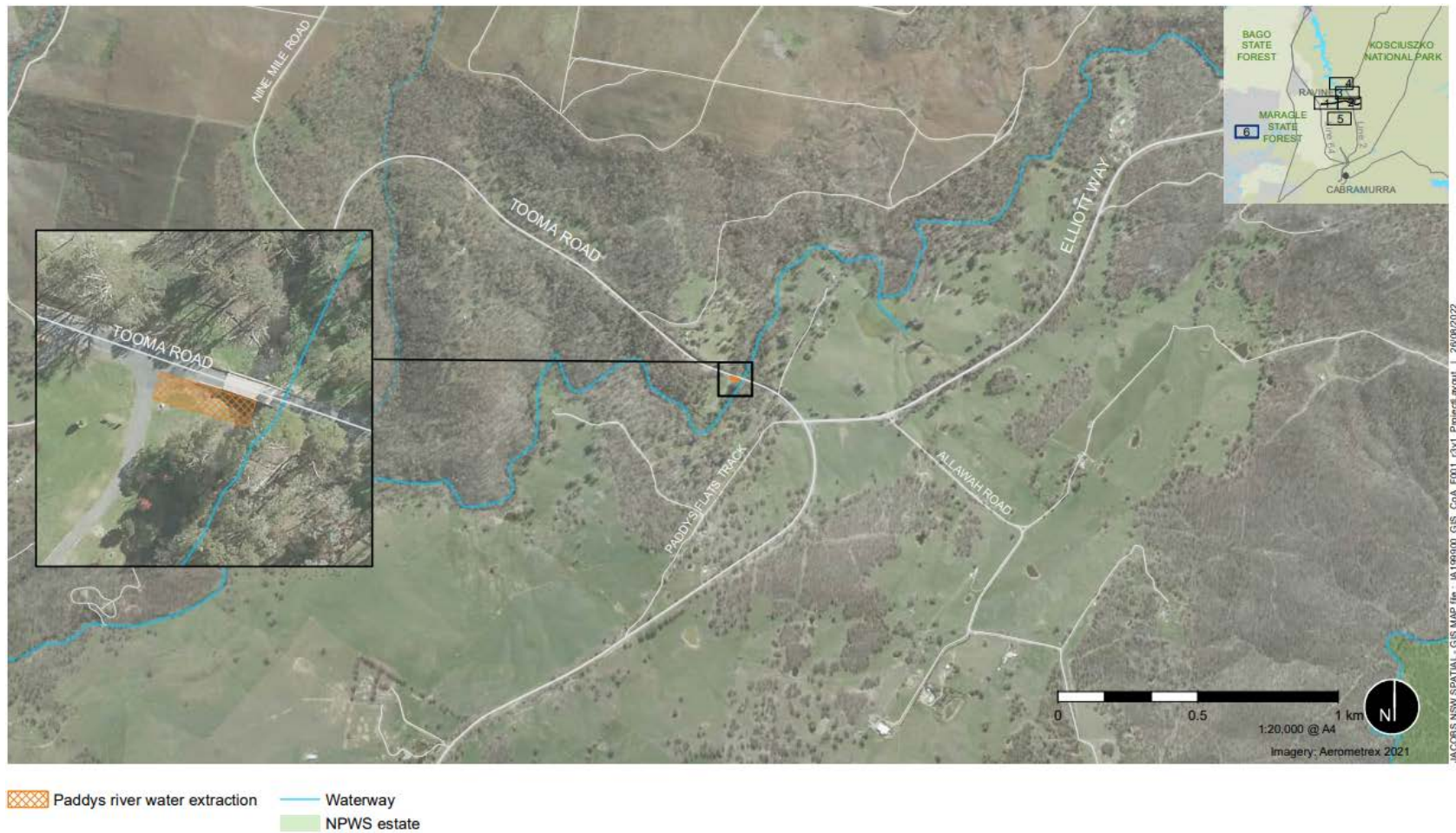


Project layout

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Project layout



Project layout

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### APPENDIX 3 ABORIGINAL HERITAGE

**Table 4** Aboriginal Heritage items – avoid impacts

| Aboriginal Objects |
|--------------------|
| AHIMS ID 56-6-0041 |

**Table 5** Aboriginal Heritage items – salvage

| Aboriginal Objects | Significance | Management and mitigation, if in disturbance footprint and cannot be avoided (direct impact) |
|--------------------|--------------|----------------------------------------------------------------------------------------------|
| ST PAD 01          | Low          | Salvage collection of surface artefacts                                                      |
| ST PAD 02          | Low          | Salvage collection of surface artefacts                                                      |
| ST PAD 03          | Low          | Salvage collection of surface artefacts                                                      |
| STr5 AS            | Low          | Salvage collection of surface artefacts                                                      |
| AHIMS ID 56-6-0540 | Low          | Salvage collection of surface artefacts                                                      |
| AHIMS ID 56-6-0048 | Low          | Salvage collection of surface artefacts                                                      |
| AHIMS ID 56-6-0477 | Low          | Salvage collection of surface artefacts                                                      |

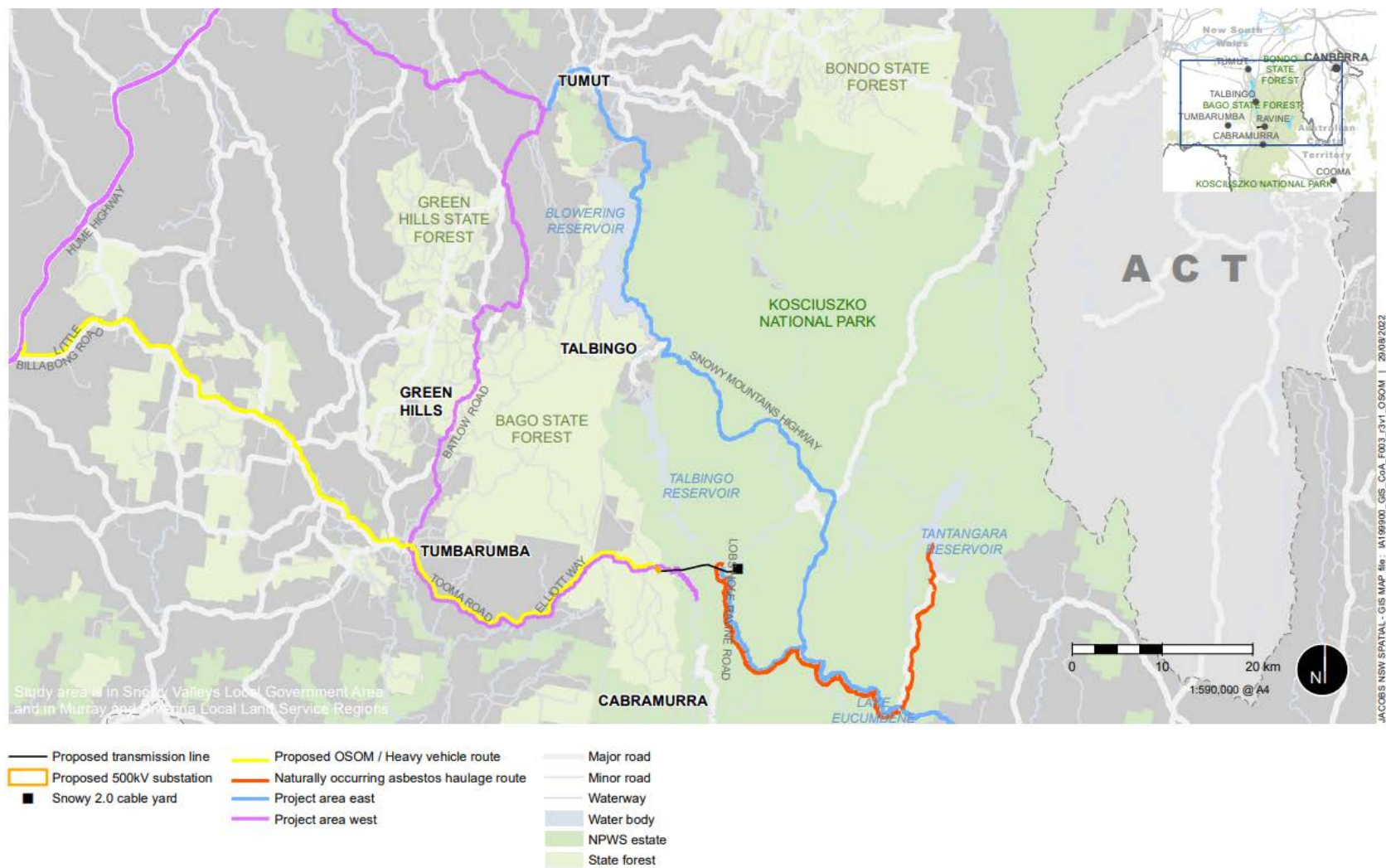
**Table 6** Historic Heritage items – avoid impacts

| Historic Heritage Item |      |      |
|------------------------|------|------|
| R48                    | R49  | R50  |
| R65                    | R75  | R76  |
| R110                   | R111 | R115 |
| R132                   |      |      |

**Table 7** Historic Heritage – Impact and Management

| <b>Item</b> | <b>Contributory Significance</b> | <b>Mitigation, if disturbed</b> | <b>Management Measure</b>                                                                                                                                |
|-------------|----------------------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R45</b>  | Moderate                         | Yes, identified in Main Works   | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R46</b>  | Negligible                       | Yes, identified in Main Works   | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R54</b>  | Little to Moderate               | Yes, identified in Main Works   | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R55</b>  | Negligible                       | Yes, identified in Main Works   | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R56</b>  | Low                              | Yes                             | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R57</b>  | Moderate to high                 | Yes, identified in Main Works   | Archival research, Archival recording, Interpretation Plan                                                                                               |
| <b>R106</b> | Moderate                         | Yes, identified in Main Works   | Archival research, Archival recording, Interpretation Plan                                                                                               |
| <b>R107</b> | High                             | Yes, identified in Main Works   | Archival research, archival recording, salvage moveable heritage, if warranted and impacts are expected, test/salvage excavation and interpretation plan |
| <b>R120</b> | Moderate                         | Yes                             | Archival recording, Test excavation, salvage if warranted                                                                                                |
| <b>R128</b> | Moderate                         | No                              | Archival recording, Test excavation, salvage if warranted                                                                                                |

## APPENDIX 4 TRAFFIC AND TRANSPORT



## **APPENDIX 5**

### **WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS**

#### **WRITTEN INCIDENT NOTIFICATION REQUIREMENTS**

1. A written incident notification addressing the requirements set out below must be notified to the Department via the Major Projects website within seven days after the Proponent becomes aware of an incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
  - (a) identify the development and application number;
  - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - (c) identify how the incident was detected;
  - (d) identify when the Proponent became aware of the incident;
  - (e) identify any actual or potential non-compliance with conditions of approval;
  - (f) describe what immediate steps were taken in relation to the incident;
  - (g) identify further action(s) that will be taken in relation to the incident; and
  - (h) identify a project contact for further communication regarding the incident.

#### **INCIDENT REPORT REQUIREMENTS**

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
  - (a) a summary of the incident;
  - (b) outcomes of an incident investigation, including identification of the cause of the incident;
  - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - (d) details of any communication with other stakeholders regarding the incident.