



NSW GOVERNMENT

Department of Planning

Contact: Dinuka McKenzie
Phone: (02) 9228 6348
Fax: (02) 9228 6355
Email: dinuka.mckenzie@planning.nsw.gov.au

Mr Rodney Ward
General Manager Development
Delta Electricity
PO Box Q863
QVB NSW 1230

Our ref: 9039738
Your ref:

Dear Mr Ward

Bamarang Gas Fired Power Station – Modification to Concept Plan and Stage 1 (06_0029_MOD 1) – Environmental Assessment Requirements

I refer to your correspondence dated 23 March 2009 seeking a modification to the Bamarang Gas Fired Power Station Concept Plan and Stage 1 approval (MP06_0029) to pursue the option of developing a 330 kilovolt transmission line between the approved facilities site and the existing TransGrid 330 kilovolt transmission network approximately five kilometres to the west, to connect the electricity generated at the power station to the grid.

The Department understands that Delta Electricity (the Proponent) seeks to retain the already approved option of constructing and operating a 132 kilovolt transmission line between the approved facilities site and the existing Integral Energy electricity grid to the east of the site, should the 330 kilovolt option not transpire. Whichever option is ultimately chosen by the Proponent during detailed design, only one transmission line will be built to connect the electricity generated at the power station to the grid.

In accordance with section 75W(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General requires that the Proponent address (but not necessarily be limited to) the following matters in its modification assessment:

- need and justification for the proposed 330kv transmission line, including cost and benefits compared to the approved 132 kilovolt transmission line and alternatives considered;
- description of the proposed modification including clear and legible maps of the site;
- assessment of key issues associated with the modification, clearly identifying any new impacts or changes to impact associated with the project as modified and any new measures to minimise, manage, mitigate, monitor and/ or off-set impacts, including how these relate to the requirements of the concept plan/ project approval (MP06_0029) and the Statement of Commitments. The following key issues must be addressed:
 - **flora and fauna** – a worst case biodiversity assessment of the project as modified consistent with *Guidelines for Threatened Species Assessment* (DEC, July 2005), specifically considering impacts to threatened species and communities listed under both State and Commonwealth legislation and fragmentation impacts, and demonstrating how the modified project would achieve neutral or beneficial biodiversity outcomes. The assessment must identify any additional clearing at the facilities site to locate the proposed sub station and provide a general comparison of biodiversity impacts of the project with the 330kv transmission line versus the approved project with the 132kv transmission line. If biodiversity offset measures are proposed, sufficient information must be presented in the assessment to demonstrate that these measures are viable and available;

- **indigenous heritage** - an assessment of the impacts of the project as modified on indigenous heritage values (archaeological and cultural), consistent with *Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation* (DEC, July 2005) identifying measures to avoid, minimise, manage and/ or offset impacts;
- **visual impacts** - an assessment of the visual impacts of the project as modified, identifying measures to avoid, minimise, manage and/ or offset impacts;
- **hazards and risk** - including bushfire, electromagnetic fields and aviation safety;
- an appropriate and justified level of consultation with relevant public authorities, including the Department of Defence, Civil Aviation Safety Authority, Department of Environment and Climate Change, Department of Water and Energy, TransGrid, Shoalhaven City Council, landowners and the community. The modification assessment must clearly identify the issues raised and how these have been addressed.

I would appreciate it if you could contact the Department at least two weeks prior to the lodgement of the modification assessment to confirm:

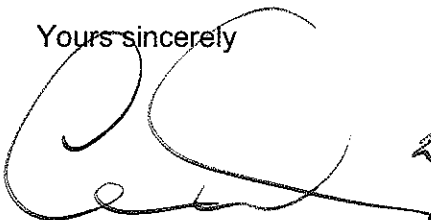
- modification fee arrangements;
- the number and format (hard-copy or CD-ROM) of the modification assessment that will be required; and
- arrangements for the exhibition of the modification assessment and for making the assessment publicly available on the Department's website.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of the Environment, Heritage, Water and the Arts to determine if an approval under the EPBC Act is required for your proposal (6274 1111 or <http://www.environment.gov.au>).

Please note that the Commonwealth Government has accredited the NSW environmental assessment process for assessing impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

Should you have any enquiries on this matter, please do not hesitate to contact Ms Dinuka McKenzie, Senior Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6348 or via email (dinuka.mckenzie@planning.nsw.gov.au).

Yours sincerely



22.1.09

Chris Wilson
Executive Director
Major Project Assessments
as delegate for the Director-General