

DECISION NOTIFICATION FORM

Section 126 of the *Planning, Development and Infrastructure Act 2016*

TO THE APPLICANT:

Name: ElectraNet Pty Ltd
Postal address: PO Box 7096 Hutt Street Post Office, ADELAIDE SA 5000
Email: Haynes.scott@electranet.com.au

IN REGARD TO:

Development application no.: 422/P003/19	Lodged on: 18 July 2019
Nature of proposed development: SA/NSW Interconnector (Project Energy Connect) – Bunday Substation - Satisfaction of Stage 1 -2 conditions	

LOCATION OF PROPOSED DEVELOPMENT:

Street address: Corridor extends from the existing Robertstown substation to the SA-NSW border.

DECISION:

Decision type	Decision	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision
Provision development authorisation	GRANTED	23 December 2021	19	10	Minister for Planning and Local Government
Bunday Substation Stages 1-2 Building consent	GRANTED	4 April 2022	N/A	N/A	Trento Fuller
Bunday Substation Stages 1-2 Development Authorisation	GRANTED	29 April 2022	21	N/A	Minister for Planning
Bunday Substation Stages 3-5, Transmission Line, Temporary facilities and Ancillary Infrastructure	STILL REQUIRED			10	Minister for Planning

FROM THE RELEVANT AUTHORITY: Minister for Planning
Date: 29 April 2022



CRAIG HOLDEN
CHAIR, STATE PLANNING COMMISSION
as delegate of the
MINISTER FOR PLANNING

PREAMBLE:

- On 21 June 2019 the Minister for Planning and Local Government made a declaration (the Declaration) under section 46 (1) of the *Development Act 1993* in relation to a proposed development for a high voltage transmission line with a capacity of up to 330 kilovolts, to be constructed between Robertstown in South Australia and the border with New South Wales (NSW) (190 kilometres). The Declaration was published in the Gazette on 27 June 2019 at page 2272.
- On 19 March 2020, the declaration was varied to remove reference to land division as one of the elements captured by the major development assessment process, to enable ElectraNet to proceed with purchasing land for the proposed Bunday substation in advance of any decision.
- The major development proposal was the subject of an Environmental Impact Statement (EIS) and an Assessment Report under sections 46 and 46C of the *Development Act 1993*.
- On 23 December 2021 the Minister for Planning and Local Government granted a provisional development authorisation under section 48 of the *Development Act 1993*. The authorisation was published in the Gazette on 6 January 2022 at page 2.
- All relevant documentation required by Reserved Matters 20 through 28 (Part B) of the provisional development authorisation in relation to Bunday Substation have been provided to the satisfaction of relevant State Agencies and local Council.
- Reserved Matters 20 through 28 (Part B) of the provisional development authorisation in relation to the transmission line, temporary facilities and ancillary infrastructure have been carried over to Reserved Matters 1 through 10 of this development authorisation.
- Reserved Matters 4 (Scope Operational Environmental Management Plan) and 8 (Native Vegetation Management, Rehabilitation and Monitoring Plan) have been amended to reflect that these documents relate to the construction phase of the transmission line. New conditions 15 and 16 require the preparation of a full OEMP and NVMR&MP relating to the operational phase of the transmission line.
- On 4 April 2022, Trento Fuller (Building Certifiers and Consultants) issued a Certificate of Compliance with the Building Rules for Stages 1 and 2 (mobilisation, site establishment, bulk earthworks and drainage) for the Bunday Substation development pursuant to section 118(8)(b) of the *Planning, Development and Infrastructure Act 2016*.
- On 29 April 2022, the delegate of the Minister for Planning granted a development authorisation for Stage 1 and 2 works for the Bunday substation.

RESERVED MATTERS:

Pursuant to Section 115(6) of the *Planning, Development and Infrastructure Act 2016*, the following matters are reserved for further assessment and approval by the Minister for Planning:

Transmission Line Component Only

1. A Works Programme must identify the proposed stages of construction of the development.
2. A Stage Details Plan for each stage that is identified in the Works Programme as is approved must include:
 - (a) final detailed designs for all transmission infrastructure, including detailed route plans, towers (and their location), details of any cut and fill, finishes and colours and access roads, including advice as to the design safety solution applicable to the existing airstrip located on Sugarwood Station consistent with applicable Civil Aviation Safety Authority (CASA) standards;
 - (b) final detailed plans and designs for all substation infrastructure, including site plans, building floor plans, elevations, cross-sections, details of cut and fill; and
 - (c) final detailed plans for all temporary construction component (i.e. laydown areas, works compounds, storage areas, helicopter landing areas etc.).
3. A CEMP must be prepared in consultation with the Environment Protection Authority; the Department for Environment and Water; the Department of Primary Industries and Regions South Australia; the Country Fire Service; the Murraylands and Riverland Landscape Board and relevant local councils. The CEMP must (at a minimum) identify the predicted impacts of the major development on the following matters, the measures that will be implemented to manage and monitor the predicted impacts on those matters, and the predicted effectiveness of the measures:
 - (a) soil erosion and drainage;
 - (b) groundwater;
 - (c) flora and fauna;
 - (d) weeds and pests;
 - (e) air quality and greenhouse gas emissions;
 - (f) noise and vibration;
 - (g) traffic; and
 - (h) local community impacts.

The CEMP must include the following plans:

- (a) Traffic Management Plan including a Pavement Monitoring & Management Plan.
- (b) Emergency Response Plan.
- (c) Soil Erosion and Drainage Management Plan.
- (d) Air Quality Management Plan.

The CEMP must be prepared taking into consideration, and with explicit reference to, relevant *Environment Protection Act 1993* policies and guidance documents, including but not limited to:

- the Environment Protection (Air Quality) Policy 2016.
- the Environment Protection (Noise) Policy 2007.

- the Environment Protection (Water Quality) Policy 2015.
 - the Environment Protection (Waste to Resources) Policy 2010.
 - the Environment Protection Authority Bunding and Spill Management Guideline 2016.
 - Environment Protection Authority Handbooks for Pollution Avoidance.
 - the Environment Protection Authority Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry 1999.
 - the Environment Protection Authority guideline 'Construction environmental management plan (CEMP) 2019'.
 - any other relevant legislative requirements, Guidelines and Australian Standards.
4. A Scope OEMP must be prepared in consultation with the Department of Environment and Water; the Department of Primary Industries and Regions South Australia; the Country Fire Service; the Murraylands and Riverland Landscape Board and local Councils. The OEMP must (at a minimum) identify the predicted impacts of the major development on the following matters, the measures that will be implemented to manage and monitor the predicted impacts on those matters, and the predicted effectiveness of the measures:
- (a) soil erosion and drainage
 - (b) flora and fauna
 - (c) weeds and pests
 - (d) air quality
 - (e) noise and vibration
 - (f) local community impacts
5. A Cultural Heritage Management Plan must be prepared in consultation with the Traditional Owner groups and the relevant Aboriginal heritage representatives, and must establish protocols to apply to the discovery of any Aboriginal sites, objects and/or remains during construction.
6. A Fire Hazard Management Plan must be prepared in consultation with the South Australian Country Fire Service.
7. A Waste Minimisation and Management Plan must be prepared in consultation with the Environment Protection Authority and relevant local council (to the extent relevant to their respective legislative authority).
8. A Native Vegetation Management, Rehabilitation and Monitoring Plan, relating to the construction phase of the development, must be prepared in consultation with the Department for Environment and Water and the Murraylands and Riverland Landscape Board. The Plan must address:
- (a) Vegetation clearance requirements of the Native Vegetation Council.
 - (b) Vegetation clearance practices.
 - (c) Restoration measures, such as site preparation, natural regeneration or direct seeding.
 - (d) Protection and maintenance of remnant vegetation, including and the control of current / future degrading factors (especially erosion).
 - (e) Pest plant and animal control.
 - (f) Fire management.
 - (g) Monitoring requirements.
9. A Threatened Species Management Plan, relating to both the construction phase and operational phase of the development, must be prepared in consultation with the Department for Environment and Water and the Murraylands and Riverland Landscape Board and the Australian Government Department of Agriculture, Water and the Environment. The Plan shall address the measures to be implemented to avoid, minimise and off-set impacts on each nationally threatened species that could be affected by the proposal (including consideration of any Recovery Plans that relate to each species). Species of State and Regional conservation significance (especially those listed under the *National Parks and Wildlife Act 1972*) must also be addressed in the Plan.

Transmission Line and Bunday Substation Components

10. Building Rules compliance must be assessed and certified for each stage of the development by an accredited professional (or by a person determined by the Minister) and a copy of all relevant certification documentation must be provided to the Minister.

CONDITIONS OF PLANNING CONSENT:

11. Except where minor amendments may be required by other legislation or by conditions imposed herein, the construction, operation, use and maintenance of the major development must be undertaken in accordance with the approved plans and details, drawings, designs and specifications:
- (a) set out in the application:
 - (i) Project Energy Connect – Environmental Impact Statement – Main Report and Appendices – May 2021;
 - (ii) Project Energy Connect – Environmental Impact Statement – Response Document – November 2021; and
 - (b) set out in the final and approved documents listed in Attachment 1:
 - (iii) Works Programme;
 - (iv) Stage Details Plan for each stage identified in the Works Programme as is approved;
 - (v) Construction Environment Management Plan (CEMP);
 - (vi) Operational Environmental Management Plan (OEMP);
 - (vii) Cultural Heritage Management Plan;
 - (viii) Fire Hazard Management Plan;
 - (ix) Waste Minimisation and Management Plan;

- (x) Native Vegetation Management, Restoration and Monitoring Plan; and
- (xi) Threatened Species Management Plan.

To the extent of any inconsistency, and subject to any contrary intention, a later document will prevail over an earlier one.

12. The major development, including all stages, must be substantially completed within five (5) years of the date of this authorisation, failing which an extension of time may be sought from the Minister for Planning and Local Government (the Minister) prior to the expiry of that period or the authorisation may be cancelled.
13. Should the major development not be substantially completed within five (5) years of the date of this authorisation, and no extension of time sought before such expiry and subsequently approved, the state and condition of the land and buildings must be reinstated, so far as is reasonably practicable, to the state and condition that the land and buildings were in immediately before the commencement of the major development.
14. Prior to the operation (energisation) of the transmission line a Native Vegetation Management, Rehabilitation and Monitoring (NVMR&M) Plan, relating to the operational phase of the development, must be prepared in consultation with the Department for Environment and Water and the Murraylands and Riverland Landscape Board, to the satisfaction of the Minister for Planning and Local Government.

The NVMR&M Plan must include details on the management of both retained native vegetation within the transmission line corridor, areas restored after the completion of construction, and disturbance of native vegetation during operational / maintenance activities. The Plan must address:

- (h) Vegetation clearance requirements of the Native Vegetation Council.
 - (i) Vegetation clearance practices.
 - (j) Restoration measures, such as site preparation, natural regeneration or direct seeding.
 - (k) Protection and maintenance of remnant vegetation, including and the control of current / future degrading factors (especially erosion).
 - (l) Vegetation maintenance during operation, especially to maintain access, safety clearance zones under conductors and asset protection zones.
 - (m) Pest plant and animal control.
 - (n) Fire management.
 - (o) Monitoring requirements.
15. Prior to the operation (energisation) of the transmission line a detailed OEMP must be prepared in consultation with the Department of Environment and Water; the Department of Primary Industries and Regions South Australia; the Country Fire Service; the Murraylands and Riverland Landscape Board and local Councils, to the satisfaction of the Minister for Planning and Local Government.

The OEMP must (at a minimum) identify the predicted impacts of the major development on the following matters, the measures that will be implemented to manage and monitor the predicted impacts on those matters, and the predicted effectiveness of the measures:
 - (g) soil erosion and drainage
 - (h) flora and fauna
 - (i) weeds and pests
 - (j) air quality
 - (k) noise and vibration
 - (l) local community impacts
 16. No building works on any part of the site of the major development (the site) may commence until a favourable decision has been notified to the proponent by the Minister in respect of the reserved matters (PART B) and until a development authorisation under section 48(2) of the Development Act 1993 and/or section 115(2) of the Planning, Development and Infrastructure Act 2016 is granted for the relevant stage as is approved in the Works Programme.
 17. The implementation of the CEMP must be continuously monitored and reviewed every six (6) months to ensure compliance with the measures to manage and monitor relevant impacts and effectiveness of those measures and updated (with approval of the Minister) as necessary. Each review must be made publicly available and a copy provided to the Minister until all construction stages are complete.
 18. The implementation of the OEMP must be continuously monitored and reviewed at regular intervals (being at least every 6 months for the first 2 years of operation) to ensure compliance with the measures to manage and monitor relevant impacts and effectiveness of those measures and updated (with approval of the Minister) as necessary. Each review must be made publicly available and a copy provided to the Minister.
 19. Council, utility or state agency maintained infrastructure that is demolished, altered, removed or damaged without lawful authority in the implementation of the major development must be reinstated to Council, utility or state agency specifications as applicable. All costs associated with these works must be met by the proponent.
 20. All road infrastructure upgrades must be completed to the standard required to enable use of the identified vehicle type (as specified in the Traffic Management Plan), to the satisfaction of the relevant road authority.
 21. All road infrastructure upgrades, unless otherwise identified, are to be funded by the proponent.

22. The proponent must ensure that the design, construction and operation of the development complies 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 – 100kHz)* (ICNIRP, 2010).
23. Should the proponent or any subsequent owner or operator of the relevant network intend that the operation of the relevant network or portion of it will cease, the Minister must be advised as soon as is reasonably practicable, and a Decommissioning and Rehabilitation Plan (DRP) must be prepared in consultation with the relevant Government agencies and local councils, and must be submitted to the reasonable satisfaction of the Minister.

The DRP must be prepared nine (9) months prior to the time that the operation (or relevant portion of it) is scheduled to cease, and include information related to:

- (a) identifying assets to be rehabilitated, remediated, decommissioned and/or removed, along with those that are proposed to be retained and the proposed tenure and management arrangements;
 - (b) confirming responsibility for costs associated with rehabilitation, remediating, decommissioning and/or removing and retaining assets;
 - (c) handover arrangements for useable assets;
 - (d) responsibility for future management and maintenance of useable assets; and
 - (e) measures, if required, to remove fuel and chemical storage and wastewater treatment facilities in accordance with relevant legislation and standards.
24. Decommissioning of the development and rehabilitation of the site must be undertaken in accordance with the approved DRP.
 25. All external lighting, including for car parking areas and buildings at the Bunday Substation Site (being the land located at the corner of Powerline and Sutherlands Road, Bunday as comprised in Certificate of Title Volume 6257 Folio 867) ("the Bunday Substation Site") must be designed and constructed to conform with *Australian/New Zealand Standard AS/NZS 4282:2019 – Control of Obtrusive Effects of Outdoor Lighting* and must be located, directed and shielded, and of such limited intensity, as far as reasonably practicable, that no unreasonable nuisance is caused to any person beyond the boundary of the site.
 26. All vehicle car parks, driveways and vehicle entry and manoeuvring areas at or providing access to and from the Bunday Substation Site must be designed and constructed in accordance with the relevant Australian Standards and appropriately line marked, and must be constructed, drained and paved with bitumen, concrete or paving bricks (or other such material as agreed to by the Minister for Planning and Local Government), in accordance with sound engineering practice.
 27. All loading and unloading, parking and manoeuvring areas at or providing access to and from the Bunday Substation Site must be designed and constructed to ensure that all vehicles can safely traffic the site and enter and exit the subject land in a forward direction.
 28. All stormwater design and construction at the Bunday Substation Site must be in accordance with Australian Standards and recognised engineering best practice to ensure that stormwater does not adversely affect any adjoining property or public road.
 29. All liquids or chemical substances that are to be stored at the Bunday Substation Site and that have the ability to cause environmental harm must be located within a bunded compound that has a capacity of at least 120% of the volume of the largest container, in accordance with the EPA 'Bunding and Spill Management Guidelines' (2016).
 30. Unless otherwise specifically provided for in these conditions or otherwise agreed to in writing with the Minister, all costs necessary for compliance with these conditions must be met solely by the proponent.

ADVISORY NOTES:

- a. The proponent is advised that all conditions must be met including monitoring, mitigation and reporting requirements as detailed in relevant management plans. Failure to comply with a condition is a breach of the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016* (as applicable), under which this authorisation is given.
- b. An accredited professional undertaking Building Rules assessments for each stage must ensure that the assessment and certification for any stage is consistent with this provisional development authorisation and the approved Works Programme (including any conditions or advisory notes that apply in relation to this provisional development authorisation).
- c. Construction of each stage of the development may commence only after a Building Rules assessment and certification has been undertaken in relation to that stage and has been issued by an accredited professional undertaking Building Rules assessments, and the Minister for has received a copy of the relevant certification documentation.
- d. In accordance with the *National Heavy Vehicle Law (South Australia) Act 2013*, the proponent must apply to the National Heavy Vehicle regulator to obtain permits for use of Restricted Access Vehicles and/or High Productivity Vehicles on public roads, where access for such vehicle is currently not available. This might include such things as construction equipment and vehicles carrying large indivisible construction materials. This might also include access for vehicles such as Road Trains or Performance Based Standards (PBS) vehicles to transport commodities.

- e. Prior to the use of any High Productivity Vehicles, the Department for Infrastructure and Transport requires that any additional road infrastructure upgrades required to facilitate this use must be completed to the satisfaction of the relevant road authority.
- f. An important initial step, as outlined in the Heavy Vehicle Access Framework, is to have an assessment of the route undertaken by an Authorised Route Assessor, at the proponent's cost. This process will identify any upgrades required to make the route safe and suitable for the type of vehicle access requested. As part of the approval/s, the proponent will be required to prepare a list of final transport infrastructure improvement needs upon completion of a full route assessment. If this is necessary, the list should identify the scope, timing and estimated cost of the required improvements.
- g. The proponent is reminded of its obligations under the *Aboriginal Heritage Act 1988* that excavation, damage, disturbance of, or interference with, any Aboriginal site, object or ancestral remains is unlawful without ministerial authorisation under sections 21 and 23 of the Act.
- h. The proponent, and all agents, employees and contractors, such as construction crew, are reminded of requirements under the *Aboriginal Heritage Act 1988*, particularly the requirement to immediately contact the Department of Aboriginal Affairs and Reconciliation in the event that archaeological items (especially skeletal material) are uncovered during earthmoving.
- i. The proponent is reminded of requirements under the *Native Title Act 1993* particularly those requiring consultation with appropriate representatives of any relevant Aboriginal Groups in relation to any known sites of significance in the area and any Native Title Claims over the sea bed and adjacent lands.
- j. The proponent is reminded of requirements under the *Native Vegetation Act 1991* and the *Native Vegetation Regulations 2017* particularly where native vegetation clearance must be undertaken in accordance with a management plan that has been approved by the Native Vegetation Council that results in a significant environmental benefit on the property where the development is being undertaken, or a payment is made into the Native Vegetation Fund of an amount considered by the Native Vegetation Council to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) of the *Native Vegetation Act 1991*, prior to any clearance occurring.
- k. The proponent is reminded of requirements under the *National Parks and Wildlife Act 1972*, particularly as permits are required for the 'taking of protected animals', such for the capture and relocation of animals during construction and the destruction or relocation of animals during operation.
- l. The proponent is reminded of requirements under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* not to undertake any activity that could have a significant effect on any matter of National Environmental Significance without the approval of the Commonwealth Minister for Environment.
- m. Should the proponent wish to vary the major development or any portion of it, an application to the Minister must be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement and Assessment Report referred to in this development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 47 of the *Development Act 1993* or section 114 of the *Planning, Development and Infrastructure Act 2016* (as applicable), the proponent may be required to prepare an amended Environmental Impact Statement for public inspection and purchase. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and the decision made pursuant to section 48 of the *Development Act 1993* or section 115 of the *Planning, Development and Infrastructure Act 2016* (as applicable).
- n. The Minister has a specific power to require testing, monitoring and auditing under section 48C of the *Development Act 1993* or section 117 of the *Planning, Development and Infrastructure Act 2016* (as applicable).

**INFORMATION TO BE INCLUDED ON DECISION TO GRANT DEVELOPMENT APPROVAL
PURSUANT TO SECTION 99(4) OF THE ACT**

CONTACT DETAILS OF CONSENT AUTHORITIES:

Name: Minister for Planning	Type of consent: Provisional Development Authorisation
Postal Address: GPO Box 1815, ADELAIDE SA 5001	
Telephone: 08 7109 7060	Email: scapadmin@sa.gov.au

ATTACHMENT 1: FINAL APPROVED DOCUMENTATION

BUNDEY SUBSTATION

Documents

Name	Ref	Rev	Date	Author
Construction Environmental Management Plan	11135	I	22/03/2022	Consolidated Power Projects (CPP)
Cultural Heritage Management Plan	11135-3B	4.0	18/01/2022	Consolidated Power Projects
Emergency Management plan	11135-3B	3.0	22/03/2022	Consolidated Power Projects
WSHE Emergency Requirements Assessment	FRM-S142	V1.0	June 2019	Consolidated Power Projects
Erosion & Sediment Control Plan	14171-CPP-HSE-PLN-0212_A	V1.0	Mar 2019	Consolidated Power Projects
Traffic Management Plan	11135	F	22/03/2022	Consolidated Power Projects
Program of Work Overview	11135-B	1.0	17/01/2022	Consolidated Power Projects
Bundey Substation Project Program	11135-B		18/01/2022	Consolidated Power Projects

Drawings

Name	Ref	Rev	Date	Author
Bundey 330/275kV Substation - CAZ Map - Site	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Site Image	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Cultural Heritage	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Cultural Heritage Image	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Office Compound	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Overall Compound	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map - Substation	-	-	22/03/2022	CPP and ElectraNet
Bundey 330/275kV Substation - CAZ Map – Pipe Construction Supply (4 sheets)	-	-	18/03/2022	CPP and ElectraNet
Substation Ultimate Layout (1 sheet)	310_607_601_001	A	11/2021	ElectraNet
Mains Water Reticulation Construction Water Supply (1 sheet)	310_607_606_012	A	01/2022	ElectraNet
Equipment 330kV Area (16 sheets)	310_607_621_001 to 310_607_621_101	A	11/2021	ElectraNet
Equipment 275kV Area (14 sheets)	310_607_622_001 to 310_607_622_101	A	12/2021	ElectraNet
Equipment 33kV Area (3 sheets)	310_607_625_001 to 310_607_625_101	A	12/2021	ElectraNet
Earthworks Paving & Fencing (14 sheets)	310_607_790_052 to 310_607_790_105	A	26/11/2021	ElectraNet, CPP & WGA
Floor Level Plan	310_607_795_051	A	26/11/2021	CPP & WGA
Earthworks Paving & Fences – Bundey Substation – Erosion and Sediment Control – Sheet 2 During Construction	310 607/790-092	C	11/03/2022	CPP & WGA
Earthworks Paving & Fences – Bundey Substation – Erosion and Sediment Control – Sheet 2 Post Construction	310 607/790-093	B	11/03/2022	CPP & WGA