



POWER LINE PUBLIC MEETING

The Upper Dumaresq Action Group and the TransGrid Action Group are holding a public meeting to discuss TransGrid's proposed 330kV transmission line between Bonshaw, Tenterfield and Lismore. The environmental assessment is on public exhibition until 24 October. Staff from the Environmental Defenders Office will explain the background to the proposal, the approval process, and how to make an effective submission. For more information please call Peter on 0400029896.

Thursday 22 September
5.30 for 5.45 start to 7.15 pm
Tenterfield Golf Club, Pelham St

How much would it cost, and who would pay?

Is it really needed, or are there alternatives?

How would it affect me and my property?





Environmental Defender's Office

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- A community legal centre specialising in public interest environmental law
- Mission: promote the public interest and improve environmental outcomes through the informed use of the law
- Functions
 - ▣ Legal Advice and Representation
 - ▣ Policy and Law Reform
 - ▣ Community Education
 - ▣ Scientific and Technical Advice



Tonight

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- About the proposal
- Approval processes (including your rights)
- Writing an effective submission
- Community groups' objections to the proposal



Who?

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- TransGrid
 - Monopoly builder + manager of NSW **transmission** network
- Essential Energy (formerly Country Energy)
 - Monopoly builder + manager of **distribution** network in most of rural NSW
- Both
 - State-owned corporations (SOC)
 - Subject to Energy Services Corporations Act + Electricity Supply Act
 - Pay dividends to NSW Government
 - Subject to national regulation by Australian Energy Regulator



State-owned corporations

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Energy Services Corporations Act 1995 No 95

5 Principal objectives of electricity generators

(1) The principal objectives of an electricity generator are as follows:

(a) to be a successful business and, to this end:

(i) to operate at least as efficiently as any comparable businesses,

(ii) to maximise the net worth of the State's investment in it,

(iii) to exhibit a sense of social responsibility by having regard to the interests of the community in which it operates,

(b) to protect the environment by conducting its operations in compliance with the principles of ecologically sustainable development contained in section 6 (2) of the Protection of the Environment Administration Act 1991,

(c) to exhibit a sense of responsibility towards regional development and decentralisation in the way in which it operates,

(d) to operate efficient, safe and reliable facilities for the generation of electricity,

(e) to be an efficient and responsible supplier of electricity,

(f) to be a successful participant in the wholesale market for electricity.

(2) Each of the principal objectives of an electricity generator is of equal importance.



What?

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- 205 km long 330 kV transmission line from Bonshaw switching station (interconnector) to Lismore substation
- New line Bonshaw-Tenterfield, upgrade of 132 kV line to Casino, new 330 kV line to Lismore
- New substation 14 km northeast of Tenterfield
- 60 metre wide easement
- Cost - \$210 million (previously \$227 +/-20%)





Where?

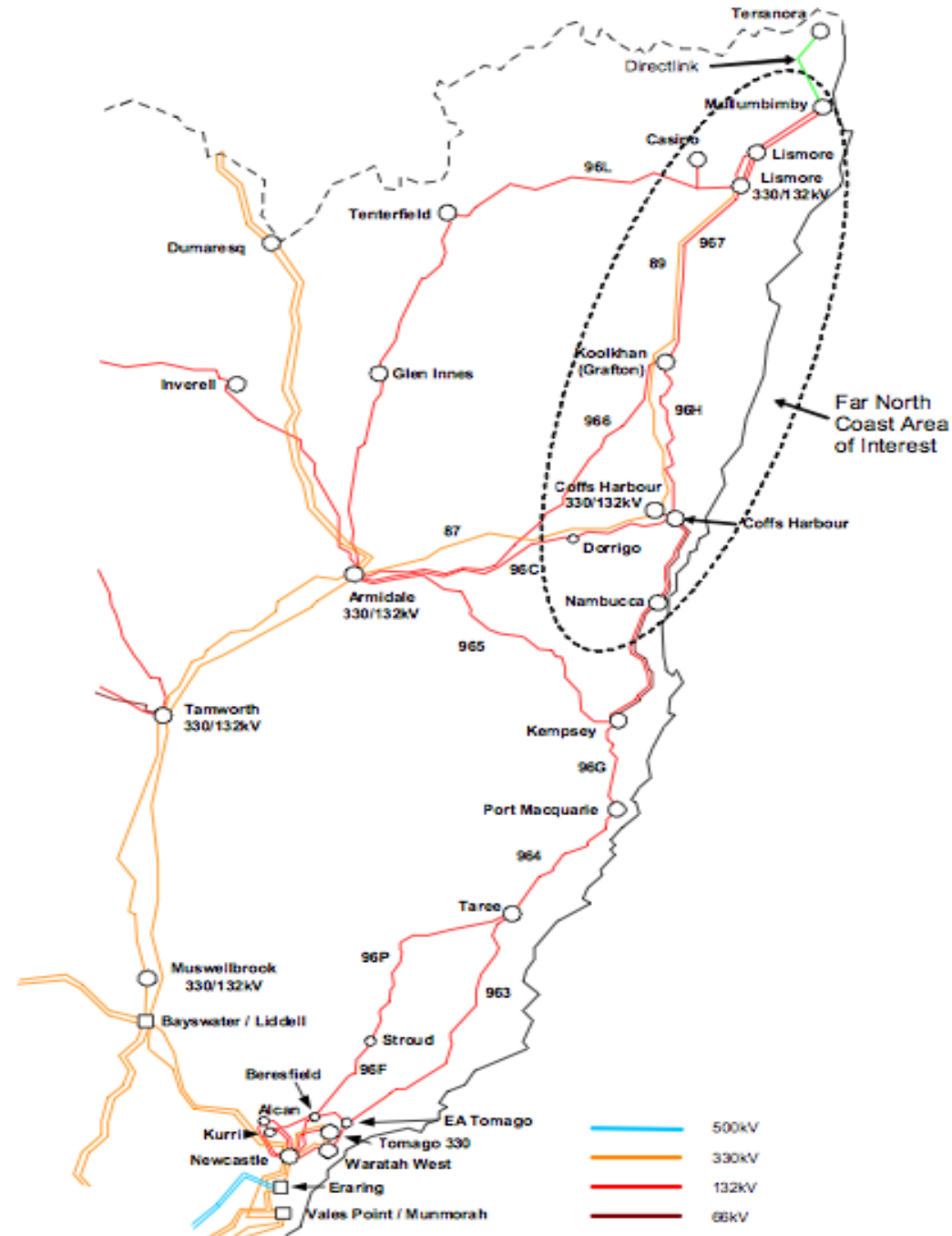
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1. Increasing **demand**
 - Projected 25% increase in peak summer + winter demand on Far North Coast over next 10 years
 - More secure electricity supply needed for FNC (N-1)

- No reasonable **alternatives**
- Demand management
- Local generation

Figure 1 Transmission System Supplying the NSW North Coast





Demand

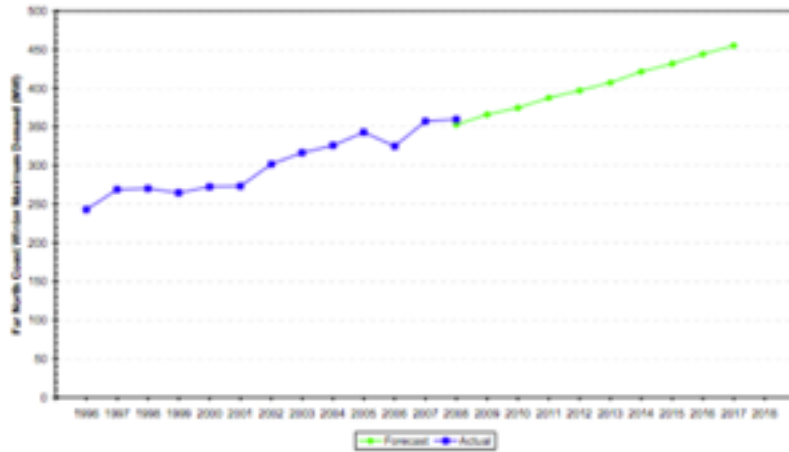
While TransGrid's high voltage electricity transmission network is currently capable of adequately supplying the Far North Coast (at all times within a ten year planning horizon under normal operations, with all elements of the network in service), upgrades and additions to the network are required to meet predicted demand and ensure the continued reliability of electricity supply in the future. Consequently, there is a need for an augmentation of supply.



Demand projections 2008 + 2011

Figure 2 Actual and Forecast Winter Max Demands

New South Wales Far North Coast (Nambucca to Lismore) Winter Maximum Demands



New South Wales Far North Coast (Macksville to Lismore) Winter Maximum Demands

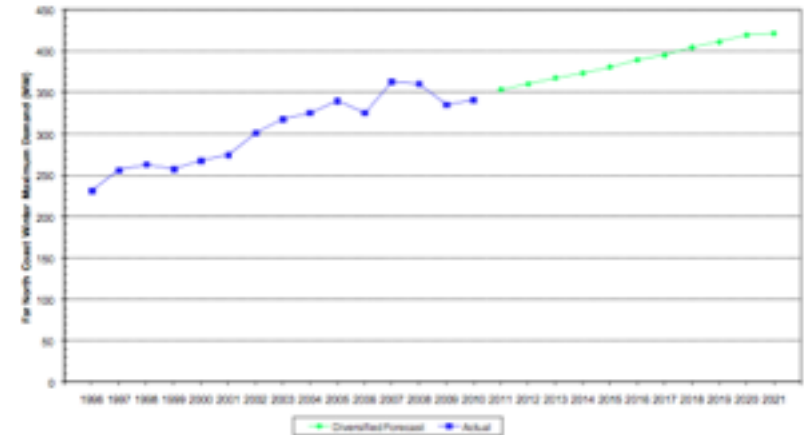


Figure 3 Actual and Forecast Summer Maximum Demands

New South Wales Far North Coast (Nambucca to Lismore) Summer Maximum Demands

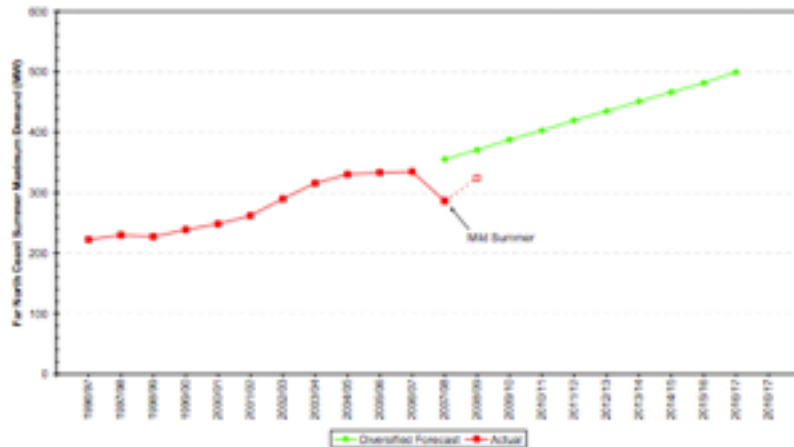
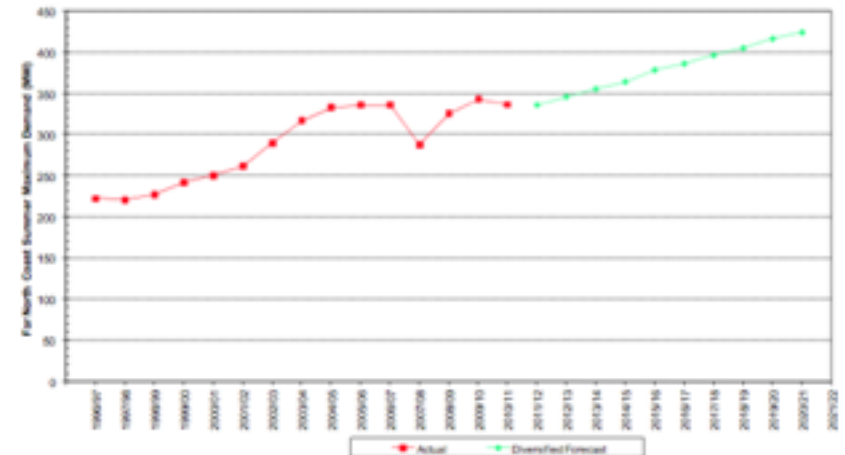


Figure 2-3 Actual and Forecast Summer Max Demands

New South Wales Far North Coast (Macksville to Lismore) Summer Maximum Demands





Alternatives

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□ TransGrid's 2009 Final Report:

TransGrid's analysis of the alternative options to major investment in augmentation of the network concluded that, although there are potential options, *"there are no known committed or advanced generation or demand management developments that are likely to affect the timing of the onset of the network limitations or the ability of any reasonable option to meet them."*¹ Consequently, transmission network augmentation is seen as the best long-term solution for the Far North Coast's energy needs.

□ AER 2010 Final Investigation Report:

"the application notice did not contain an adequate analysis of all reasonable network and non-network options"



Approvals

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NSW

- (Former) Part 3A of EPA Act – NSW Minister for Planning

National

- National Electricity Law - Australian Energy Regulator
- EPBC Act – Federal Minister for Environment



National Electricity Rules

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- Proposal must satisfy regulatory test for new large transmission network assets – Clause 5.6.6(c)
- Version 3 – 2 limbs – reliability + market benefits
- TG/CE applied under reliability limb: “A reliability augmentation will satisfy the test if it is the least cost option compared to a range of alternatives in a majority of reasonable scenarios”



The process so far

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- 1999 TG APS noted emerging network limitations
- 2003 TG published Emerging Transmission Network Limitations on the NSW FNC
- 2007 TG/CE Application notice
- 2009 TG/CE Final notice
- 2009 EDO complaint to AER
- 2009 UDAG complaint to AER
- 2010 AER Final Investigation Report
- 2010 TG Request for Proposals
- 2011 TG/EE Environmental Assessment
- (+ 2009-11 EDO Fol requests)



AER Final Investigation Report

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“The AER has found shortcomings in the process conducted by TransGrid in reaching its decision to build the line. Key areas of concern are that:

- the application notice did not contain an adequate analysis of all reasonable network and non-network options
- neither the application notice (April 2008) nor the final report (March 2009) adequately examined the potential for material inter-network impacts
- the final report did not summarise or respond to submissions on the application notice
- the decision to limit the Regulatory Test analysis to a single reasonable scenario was inadequately justified and did not meet the requirement to provide a detailed description on why TransGrid consider the asset passed the Regulatory Test.
- The investigation report notes that TransGrid has now undertaken further consultation through the issue of a Request for Proposals (RFP) in May 2010 that sought non-network alternatives in the far north coast region. TransGrid has provided the AER with a series of commitments to improve future processes.”



Federal environmental approval

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- 2009 - TG/CE referred proposal to Fed Dept of Environment (SEWPAC)
- Determined by Minister for Environment to be “controlled action” because likely to have significant impact on nationally listed threatened species + communities
 - Critically endangered White Box-Yellow Box-Blakeley’s Red Gum grassy woodlands & derived grasslands ecological community
- 2010 – additional C’tth requirements for assessment issued, including relevant impacts & proposed safeguards, mitigation & offset measures
- C’tth assessment is by way of bilateral agreement – Part 3A assessment



NSW planning approval

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- DoP advised in 2009 that no consent required; to be assessed under Part 5 of EPA Act
- TG formed view that EIS required under Part 5
- Project then became subject to former Part 3A (Major Projects) of Environmental Planning & Assessment Act
 - Preliminary environmental assessment
 - Issue of Director-General's requirements
 - Full environmental assessment by proponent
 - Exhibition
 - Decision by Minister



D-G's requirements

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- Strategic planning + project justification
- Land use planning impacts
- Ecological impacts
- Heritage impacts
- Human amenity impacts
- Hazards + risk impacts
- Noise impacts
- Visual amenity impacts
- Construction-related impacts
- Traffic + transport impacts
- General environmental risk analysis



Process from here

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- D-G is required to provide copies of submissions or report to proponent + other appropriate public authorities
- D-G may require proponent
 - ⊙ to respond to issues in report with any proposed changes
 - ⊙ to prepare a preferred project report
 - ⊙ to make a revised statement of commitments
- If changes are significant, D-G may require preferred project report to be publicly available
- D-G prepares report to Minister
- Minister may approve, approve with conditions or modifications, or disapprove



Appeal rights

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Proponent

⑩ No appeal rights - public authority by way of definition as a state owned corporation

Objector

⑩ No merit appeal rights

⑩ Judicial review in Class 4 of Land and Environment Court – legality grounds only



Landholder rights

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- TransGrid has a policy of purchasing easement rights by negotiation
 - ensures that future development is coordinated with access
 - landowner retains ownership of easement land and right to undertake permitted activities within easement area

- Where TransGrid needs to acquire easement landowner entitled to be compensated under Land Acquisition (Just Terms Compensation) Act 1991
 - valuer assesses the amount of easement compensation
 - that value forms the basis of an offer for easement
 - landholder is encouraged to obtain independent valuer and legal advice
 - reasonable costs are reimbursed along with compensation payment



Easement restrictions

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- The easement will include a number of land use restrictions
 - location of buildings
 - location of utility services
 - location of materials storage
 - metallic fencing

- All restrictions based on safe use of the easement and security of electricity supply



Submission writing “dos”

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- Write it yourself in your own words
- State your interest
- State your views concisely
- Address the Director-General’s requirements where possible
- Provide evidence to support your view
 - observations and physical evidence
 - scientific or technical evidence
 - documentary evidence
- Make clear, concise recommendations – especially re alternatives
- Include your name and address and date your submission



Submission writing “don’ts”

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- Ramble
- Be abusive
- Be emotive
- Be defamatory
- Be conspiratorial





Submissions on this proposal

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- ❑ Due by Monday 24 October
- ❑ Submit via online form at www.planning.nsw.gov.au > Development > Major project register > Search projects > Tenterfield
- ❑ Attachments must be in pdf format
- ❑ Submissions will be public, but your name can be withheld

Home > Development Assessments > Major Project Assessments > Search

Project Sectors
Coastal Areas
Specified Sites
State Significant Sites
Planning Agreements
On Exhibition
Determinations
Help
Part 4 Projects

Search Projects
Project Title or Location Name
Local Government Area - All
Search

Dumaresq to Lismore Transmission Line Exhibition
Project Application - Dumaresq to Lismore Transmission Line

Construction and operation of a 330 kV transmission line between Dumaresq substation near Berrimah and Lismore substation and associated upgrade works to existing substation.

Controlled Action under EPBC Act:
The Commonwealth Department of the Environment, Water, Heritage and the Arts determined that the proposed development is a "controlled action" under the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act). The EPBC Act Part 3, Division 1 controlling provisions are sections 18 and 18A (used threatened species and communities).

The project will be assessed by way of accredited assessment process under section 67 of the EPBC Act. The accredited assessment process for the proposed development is Part 3A of the New South Wales Environmental Planning and Assessment Act 1979.

Attachments & Resources

- Application and Declaration (1)
- Director-General's Requirements (2)
- Environmental Assessment (56)

Key dates and other information

Job Status	Exhibition Project is currently on public exhibition and opportunity for public submissions is available
Assessment Type	Part 3A
Project Type	Transport, Energy, Water & Telecommunications > Electricity Infrastructure
Application Number	HP01_0150
DGRS Issued:	11/09/2009
Exhibition Start	08/09/2011
Exhibition End	24/10/2011



Need more help?

www.edo.org.au/edonsw
1300 369 791
edonr@edo.org.au



Environmental Defender's Office New South Wales (Ltd)

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The Environmental Defender's Office Ltd, (EDO), is a not-for-profit community legal centre specialising in public interest environmental law. We help individuals and community groups who are working to protect the natural and built environment.

The EDO is part of a national network of centres that help to protect the environment through law in their States.

The EDO has an active program of:

- casework,
- scientific assessment and advice,
- education and
- law reform.

In addition, we provide free initial legal advice to the community.

Public donations and support are also vital in enabling us to do the work we do. You can help support the EDO by:

- a donation,
- becoming a Friend of the EDO or
- volunteering.

Mission

The EDO's mission is to promote the public interest and improve environmental outcomes through the informed use of the law.



Become a Friend of the EDO, make a donation or a bequest...

Translations

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