

Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au



Snowy 2.0 Transmission Connection Modification 1

Critical State Significant Infrastructure Modification Assessment Report (SSI-9717-Mod-1)

August 2024





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

Snowy 2.0 Transmission Connection Modification 1 (SSI-9717-Mod-1)
Assessment Report

Published: August 2024

Copyright and disclaimer

© State of New South Wales through Department of Planning, Housing and Infrastructure 2024. Information contained in this publication is based on knowledge and understanding at the time of writing, August 2024, and is subject to change. For more information, please visit nsw.gov.au/copyright.

Contents

1	Introduction.....	1
1.1	Background	1
1.2	Approval history	1
2	Proposed modification	2
3	Statutory context.....	3
3.1	Scope of modification and assessment pathway	3
3.2	Mandatory matters for consideration	3
4	Engagement.....	4
4.1	Department’s engagement	4
5	Assessment.....	5
6	Evaluation.....	5
7	Recommendation.....	6
8	Determination	6
	Appendices.....	7
	Appendix A – List of referenced documents	7
	Appendix B – Notice of modification	7
	Appendix C – Consolidated consent	7

1 Introduction

1.1 Background

The Snowy 2.0 – Transmission Connection (the project) is a new transmission connection between the proposed Snowy 2.0 pumped hydro and generation project (Snowy 2.0 Main Works) to the existing high voltage transmission network between Lobs Hole in the Kosciuszko National Park and Maragle in the Bago State Forest. (see Figure 1).

Snowy Hydro Limited (Snowy Hydro) is responsible for, and has commenced works on, the electricity generating components of the project, while Transgrid is delivering the transmission infrastructure.

1.2 Approval history

On 2 September 2022, the then, Minister for Planning approved the critical State significant infrastructure (CSSI) application to develop the project, subject to conditions. The conditions of approval require the proponent to prepare a biodiversity offset package (BOP) including, among other things, confirmation that the biodiversity offset measures have been implemented and delivered no later than 1 September 2024.

On 13 October 2023, the Planning Secretary approved the project's BOP under Condition B18. The offset measures in the approved BOP included two Biodiversity Stewardship Agreement (BSA) sites and a payment into the Biodiversity Conservation Fund (BCF) to cover the residual credit liability.

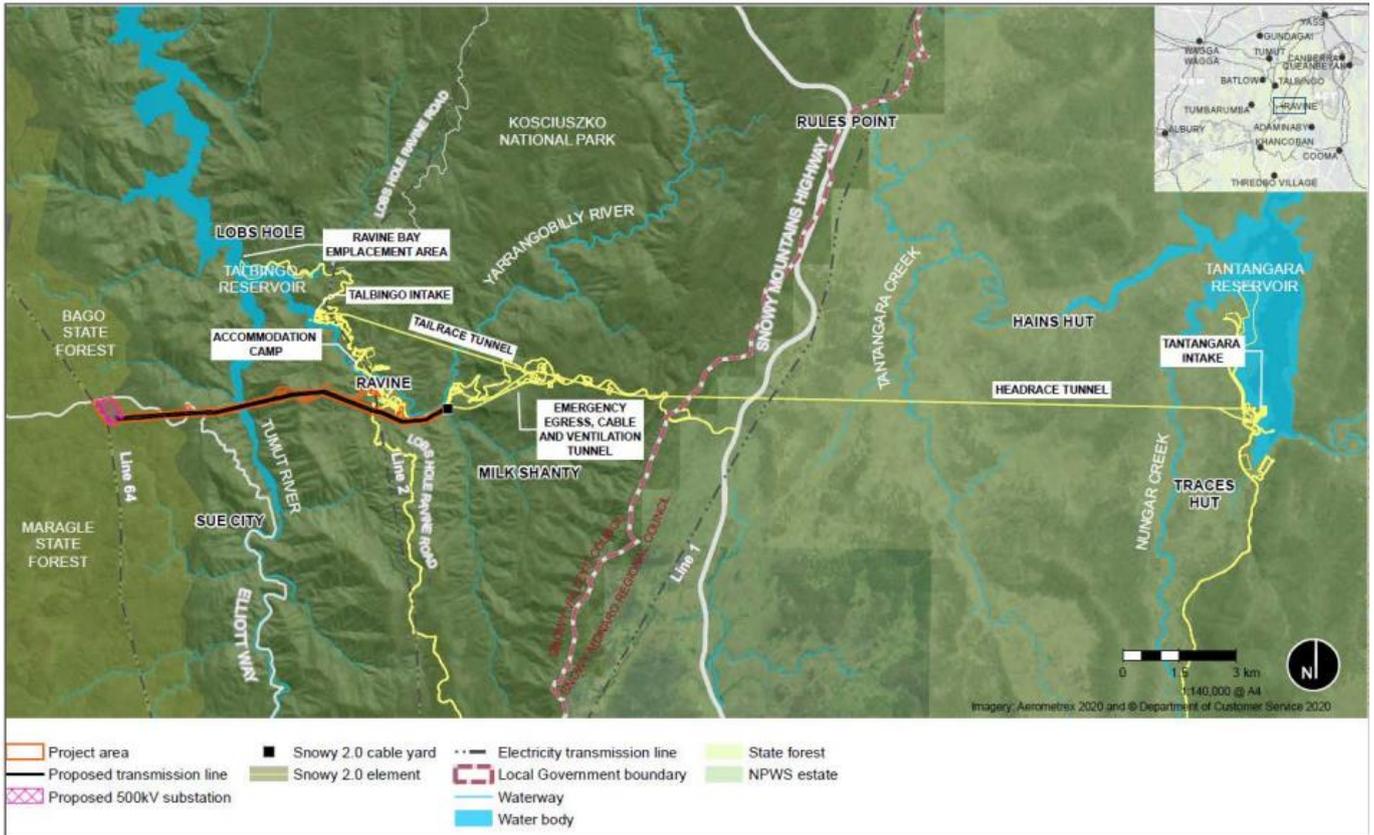


Figure 1 | Regional context map

2 Proposed modification

The modification application seeks approval to extend the timeframe for implementing and delivering the required biodiversity offset measures for impacts outside of Kosciuszko National Park by 12 months (i.e. until 1 September 2025). The proponent has highlighted administrative delays in finalising their originally proposed BSAs, along with investigations into additional potential BSAs, as the principal reasons for requiring an extension to the delivery timeframe.

The proposed modification is described in further detail in the Modification Report (see Appendix A).

3 Statutory context

3.1 Scope of modification and assessment pathway

Details of the legal pathway under which modification is sought and are provided in Table 1 below.

Table 1 | Permissibility and assessment pathway

Consideration	Description
Scope of modification	<p>In accordance with s5.25 of the EP&A Act, a proponent may request the Minister to modify the approval for State significant infrastructure.</p> <p>The Department has reviewed the scope of the modification and considers that it can be characterised as a minor modification involving administrative amendments to the project’s consent.</p> <p>The Department is satisfied the proposed modification is within the scope of section 5.25 of the EP&A Act.</p>
Consent Authority	<p>Minister for Planning and Public Spaces</p> <p>The Minister will be the approval authority under section 5.25(4) of the EP&A Act unless the Minister has delegated his determination functions to the Department.</p>
Decision-maker	<p>Delegate Position</p> <p>The Director, Resource Assessments, may determine the application in accordance with the Minister’s delegations dated 9 March 2022, as there were no public objections, Snowy Valley Council (Council) did not object, and the Applicant has not disclosed any reportable political donations.</p>

3.2 Mandatory matters for consideration

3.2.1 Objects of the EP&A Act

In determining whether to modify the consent, the consent authority should consider whether the modified project is consistent with the relevant objects of the EP&A Act including the principles of ecologically sustainable development (ESD).

The Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ESD.

3.2.2 Biodiversity development assessment report

Section 7.17(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all CSSI modifications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the authority or person determining the application is satisfied that the modification will not increase the impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

Given the modification involves only administrative changes to the conditions, the Department is satisfied that the modification would not increase the impact on biodiversity values and consequently a BDAR is not required to accompany the modification application.

4 Engagement

4.1 Department's engagement

Due to the minor nature of the proposed modification, the application was not publicly exhibited. However, the Department made the application publicly available on the Major Projects website and notified and invited comments from relevant government agencies. No public submissions were received.

4.1.1 Summary of advice received from government agencies

The Department received advice from the Department of Climate Change, Energy, the Environment and Water's (DCCEEW) Biodiversity, Conservation and Science Division (BCS), the Biodiversity Conservation Trust (BCT) and Nature Offset Markets team on the modification application.

These three agencies provided joint advice on the modification which included broad support for the proposed extension in time, noting that additional time would allow for better biodiversity outcomes to be achieved through the BOP. In supporting the extension, BCS also requested that the BOP be amended to update the biodiversity offset delivery methodology and the BCT requested to be a consultee on the BOP.

This advice recognised that updates to the BOP are outside the scope of this modification.

5 Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application;
- the Environmental Assessment and conditions of approval for the original application; and
- the requirements of the EP&A Act and Regulation.

The modification application proposes to extend the timeframe to implement the offset measure by 12 months. Importantly, no further impacts to biodiversity would be enabled through this modification.

The Department notes that the proponent has identified and progressed BSAs for four biodiversity stewardship sites that will provide like-for-like credits for 75% of ecosystem credits and 26% of species credits requirements for the project. The remaining species credits be obtained by purchasing credits from the market and utilisation of the variation rules of the biodiversity offsets required for the project. The Department considers the modification would allow for better biodiversity outcomes to be achieved through the BOP, while accounting for the unexpected administrative delays in finalising the BSAs. The Department also notes, the modification would not alter the public interest of the development.

6 Evaluation

The Department has assessed the modification request and supporting information in accordance with the relevant requirements of the EP&A Act.

The Department considers that the modification is largely administrative in nature and does not involve any physical changes to the project. Overall, the Department considers that there would be no increase in environmental impacts compared to those already assessed and approved.

The Department recognises that the extension in delivery timeframe would enable the proponent to update their BOP to improve biodiversity outcomes by primarily retiring credits to meet the offset liability. The relevant biodiversity agencies consulted with agree that this as a beneficial outcome.

The Department also recommends that condition B18 be amended to require consultation with the BCT during preparation of the revised BOP.

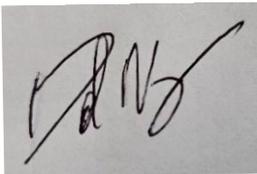
Consequently, the Department concludes the proposed modification is in the public interest and should be approved, subject to the recommended changes to the conditions of consent as outlined in Appendix B.

7 Recommendation

It is recommended that the Director, Energy Assessments, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report;
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to approve the modification;
- agrees with the key reasons for approval listed in the notice of decision;
- **modifies the consent** for the Snowy 2.0 Transmission Connection (CSSI-9717-Mod-1) as amended, subject to the conditions in the attached instrument of modification; and
- signs the attached instrument of modification (Error! Reference source not found.).

Recommended by:



30/08/2024

David Way
Senior Environmental Assessment Officer
Energy Assessments

8 Determination

The recommendation is adopted by:



30/08/2024

Nicole Brewer
Director
Energy Assessments

Appendices

Appendix A – List of referenced documents

Modification Report: Refer to folder “Modification Application” on the Department’s website at:
[MOD 1 - Extension of Biodiversity Offset Timing | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

Appendix B – Notice of modification

Notice of modification: Refer to folder “Determination” on the Department’s website at:
[MOD 1 - Extension of Biodiversity Offset Timing | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)

Appendix C – Consolidated consent

Notice of modification: Refer to folder “Determination” on the Department’s website at:
[MOD 1 - Extension of Biodiversity Offset Timing | Planning Portal - Department of Planning and Environment \(nsw.gov.au\)](#)