



Notification of approval decision

Mount Piper to Wallerawang Transmission Line Upgrade Project, Blackmans Flat, NSW (EPBC 2024/09855)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

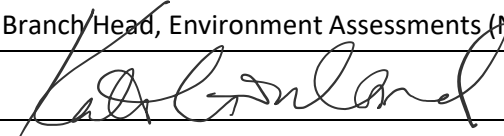
Approved Action

person to whom the approval is granted (approval holder)	NSW Electricity Network Operations Pty Limited ACN: 609 169 959
Action	To construct and operate a 330 kilovolt transmission line and double circuit transmission structures between the Mount Piper substation and Wallerawang substation, involving upgrades to existing transmission structures, vegetation clearing, demolition and other ancillary works, New South Wales. [See EPBC Act referral 2024/09855 subject to the variation of the proposed Action accepted by the Minister under section 156B on 13 March 2026].

Approval decision

decision	My decision on whether or not to approve the taking of the Action for the purposes of the controlling provision for the Action is as follows.	
	Controlling Provision	Decision
	Listed threatened species and communities (section 18 and section 18A)	Approved
period for which the approval has effect	This approval has effect until 9 July 2078.	
conditions of approval	The approval is subject to conditions under the EPBC Act as set out in Annexure A.	

Person authorised to make decision

name and position	Kate Gowland Branch Head, Environment Assessments (NSW, ACT)
Signature	
date of decision	9 July 2026

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Annexure A

Note: Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

Part A – Avoidance, mitigation, and compensation conditions

AVOIDANCE AND MITIGATION MEASURES

- 1) The approval holder must undertake **clearing** and **construction** activities in accordance with conditions A2(c) and A2(d) of the **NSW Approval** to the extent that they relate to **protected matters**.
- 2) The approval holder must comply with conditions B20 and B24 of the **NSW Approval**, to the extent that they relate to **protected matters**.

BIODIVERSITY OFFSETS

- 3) The approval holder must comply with conditions, B21, B22, and B23 of the **NSW Approval**, to the extent that they relate to **protected matters**.

Part B – Administrative conditions

FINAL LAYOUT PLANS

- 4) The approval holder must submit the detailed final layout plans as required by condition C11 of the **NSW Approval** to the **department** prior to commencement of **construction**.

MODIFICATIONS TO STATE OR TERRITORY APPROVAL

- 5) The approval holder must notify the **department** in writing of any proposed change to the **NSW Approval** that may relate to **protected matters** within 5 **business days** of formally proposing such a change and within 10 **business days** of becoming aware of any proposed change.
- 6) The approval holder must notify the **department** in writing of any change to the **NSW Approval** conditions that may relate to **protected matters**, within 5 **business days** of such a change to conditions coming into effect. Such notification must include a copy of the changed **NSW Approval** conditions showing what changes have been made.

COMMENCEMENT OF THE ACTION

- 7) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
- 8) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

COMPLIANCE RECORDS

- 9) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
- 10) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

Note: **Compliance records** may be subject to audit by the **department**, or by an **independent auditor** in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.

- 11) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 12) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 13) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the next anniversary of the date of this approval decision except where otherwise specified in a **plan**.

ANNUAL COMPLIANCE REPORTING

- 14) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period (ACR period)**.
- 15) The approval holder must ensure each **compliance report** includes:
 - a) accurate and complete details of compliance and any non-compliance with:
 - i) each condition imposed under **NSW Approval**, if a condition attached to this approval decision requires compliance with that **NSW Approval** condition,
 - ii) each condition attached to this approval decision, and
 - iii) all commitments made in each **plan**,
 - b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period**,
 - c) accurate and complete details of how each **plan** was implemented during the **ACR period**, and
 - d) if any **incident** occurred, accurate and complete details of each **incident**.

- 16) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines*, Commonwealth of Australia 2023.
- 17) The approval holder must, within 20 **business days** following the end of each **ACR period**, in a format that is easily accessible and downloadable, publish on the **website**:
 - a) each **compliance report**, and
 - b) a **shapefile** showing all **clearing of protected matters**, and their habitat, undertaken within the **ACR period**.
- 18) The approval holder must:
 - a) Exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public.
 - b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
 - c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
- 19) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
- 20) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

Note: **Compliance reports** may be published on the **department's** website.

REPORTING NON-COMPLIANCE

- 21) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:
 - a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with,
 - b) a short description of the **incident**, and
 - c) the location (if applicable, including co-ordinates), date and time of the **incident**.

- 22) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:
- a) all corrective measures and investigations which the approval holder has already taken in respect of the **incident**,
 - b) the potential impacts of the **incident**,
 - c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and
 - d) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** and/or to address its consequences.

INDEPENDENT AUDIT

- 23) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
- 24) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** within 10 **business days** following the end of each **audit period**.
- 25) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
- 26) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
- 27) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.
- 28) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.
- 29) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 10 **business days** of the date the **department** agrees to that **audit report** in writing.
- 30) The approval holder must notify the **department** within 5 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **audit report** is published on the **website**.
- 31) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.

COMPLETION OF THE ACTION

- 32) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** prior to the expiry date of this approval, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.
- 33) The approval holder must notify the **department** electronically at least 60, but not more than 70, **business days** prior to the expiry date of this approval, that the approval is due to expire.

Note: Section 145C of the **EPBC Act** entitles the approval holder to request an extension to the period of effect of this approval.

Part C – Definitions

Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

Action area means the location of the Action, represented in Attachment A by the solid red line designated as ‘Project footprint’.

Annual Compliance Report period or **ACR period** means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

Audit period means each subsequent five-year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

Audit report means a written report of an **independent audit**.

Biodiversity data means ‘biodiversity data’ as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

Black Gum means the **EPBC Act** listed threatened species *Eucalyptus aggregata*.

Business day/s means a day that is not a Saturday, a Sunday, or a public holiday in New South Wales.

Clear, cleared or **clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation, not including any weed or fire management specified in a **plan**.

Commence the Action or **commences the Action** means the first instance of any on-site **clearing, construction** or other physical activity associated with the Action, but does not include minor physical disturbance necessary to:

- Undertake pre-clearance surveys or monitoring programs.

- Install signage and/or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm any protected matter**.
- Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm any protected matter**.
- Undertake soil sampling or geotechnical investigations provided these cause only minor physical disturbance, will not **harm any protected matter** and are required in advance of commencement of site works.

Commencement of the Action means the date on which the approval holder **commences the Action**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

Completion of the Action means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased and/or been completed.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Compliance report means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

Construct, Construction means:

- the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site,
- the alteration, maintenance, repair or demolition of any building or structure,
- any work which involves breaking of the ground (including pile driving) or bulk earthworks,
- the laying of pipes and other prefabricated materials in the ground, and
- any associated excavation work.

Construction does not include the installation of temporary fences or signage or pre-construction minor works as defined in the **NSW Approval**.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Gang-gang Cockatoo means the **EPBC Act** listed threatened species *Callocephalon fimbriatum*.

Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

Incident means any:

- event which has the potential to, or does, **harm** any **protected matter**,
- potential non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- potential non-compliance with one or more commitment made in a **plan**, and/or
- actual non-compliance with one or more commitment made in a **plan**.

Independent audit means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

Independent Audit and Audit Report Guidelines means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

Independent auditor means a person, or firm, who:

- does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

*Other than for the purpose of undertaking the role for which the person, or firm, is required.

Minister means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

NSW Approval means the NSW Government Infrastructure Approval for the Mount Piper to Wallerawang Transmission Project made under section 5.19 of the *Environmental Planning & Assessment Act 1979*, for application number: SSI-70279722, approved on 16 May 2026, and any subsequent modifications to the project approved by the relevant NSW Minister or delegate administering the *Environmental Planning & Assessment Act 1979*. At the date of this decision, the **NSW Approval** can be accessed at the following webpage address: [Mount Piper to Wallerawang Transmission | Planning Portal - Department of Planning and Environment](#).

Plan/s means any action management plan or strategy that the approval holder is required by these conditions to implement.

Protected matter means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect, identified as **Black Gum** and **Gang-gang Cockatoo**.

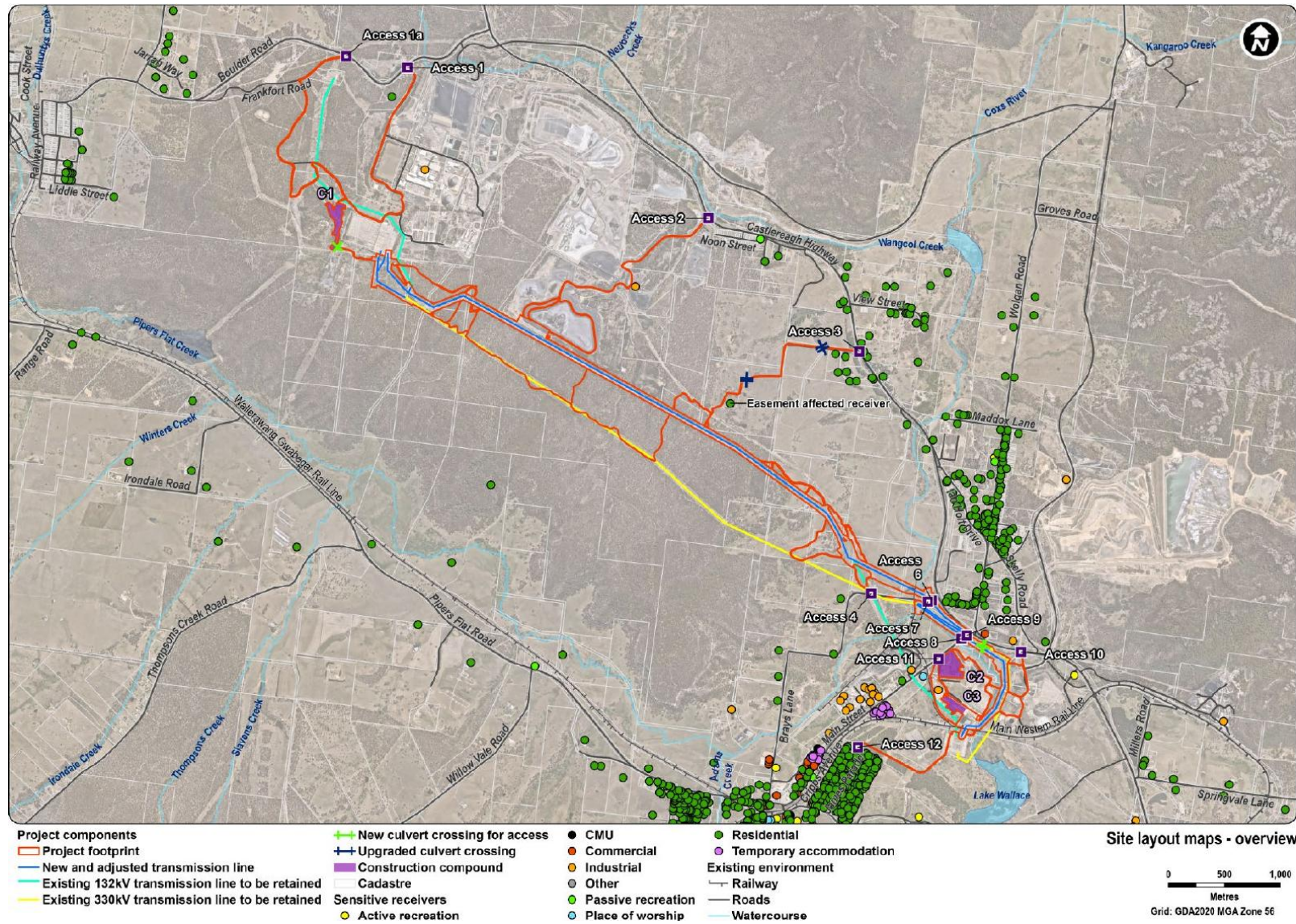
Sensitive biodiversity data means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Attachment A – Action Area



National Environmental Protection Agency