

1. Introduction

TransGrid is the proponent for the Sunnydale Radio Repeater Site. The proposed activity involves installation of a radio repeater site at the Sunnydale property located along the Silver City Highway, south of Broken Hill.

A Review of Environmental Factors (REF) was prepared by NGH (October 2018) to assess the potential impacts of the proposed activity.

The objectives of this Decision Statement are to:

- > Document consultation with agencies and the public.
- > Review the environmental impacts of the proposed activity and the significance of those impacts.
- > Explain clearly why the key conclusions in the REF were or were not accepted.
- > Document the authorised person's engagement with the REF.
- > Make a determination of the proposed activity, or make a decision that there is insufficient information to discharge the duty under section 5.5 of the *Environmental Planning and Assessment Act* (EP&A Act).

2. Consultation

Consultation for the proposed activity was undertaken in accordance with TransGrid's Consultation Protocol and legislative requirements. A summary of the consultation undertaken with the general public and Government agencies is provided below. Full details of all consultation undertaken for the proposed activity are included in the REF and the Submissions Report.

During preparation of the REF, the following consultation tasks were undertaken:

- > Written notification was provided to potential interested stakeholders on 20th April 2018, including the NSW Department of Primary Industries – Agriculture, NSW Department of Primary Industries – Water, NSW Office of Environment & Heritage, NSW Roads and Maritime Services, NSW Environment Protection Agency, Civil Aviation Safety Authority, Western Local Lands Services and Western Lands Division.
- > TransGrid had ongoing consultation with two directly affected landholders of Western Lands Lease (WLL) 4305 and WLL 2148.

The REF was placed on public exhibition from 20 March 2019 to 17 April 2019 on TransGrid's website (www.transgrid.com.au). All agency and landholder stakeholders previously consulted as part of the preparation of the REF (refer above) were notified by letter on 20 March 2019 to inform them of the exhibition of the REF. In addition, two additional landholders that are not directly affected by the activity but are located nearby were also notified by letter. The letter included exhibition timeframes and details on how to make a submission on the proposed activity.

TransGrid received six formal written submissions from Government agencies and no submissions from the general public during the exhibition of the REF. Submissions raised issues associated with:

- > Legislative requirements.
- > Aboriginal Heritage.

- > Environmental, heritage and safety impacts of the proposed activity.
- > Site access and road safety during construction.
- > Recommendations for the intersection design of Womba Road and the Silver City Highway.

TransGrid prepared a Submissions Report (February 2020) to address all issues raised in the submissions and how they have been taken into account.

3. Consideration of Impacts

The REF and Submissions Report detail the proposed activity, assess the potential impacts of the proposed activity on the environment and provide management measures to avoid, minimise, manage and/or offset those impacts.

The REF and Submissions Report addresses the requirements of Section 5.5 of the EP&A Act by considering to the fullest extent possible, all matters affecting or likely to affect the environment from the proposed activity. The REF and Submissions Report also considers factors prescribed under clause 228 of the *Environmental Planning and Assessment Regulation 2000*.

The REF and Submissions Report conclude that the proposed activity is not likely to significantly affect the environment or threatened species, ecological communities, or their habitats and is not to be carried out on land that is, or is part of a declared area of outstanding biodiversity value.

The REF and Submissions Report also consider that the proposed activity is not likely to have a significant impact on matters of National Environmental Significance (NES) or Commonwealth land, and therefore does not require a referral under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

With consideration of the environmental impacts detailed in the REF and Submissions Report, the key conclusions are accepted for the following reasons:

- > The REF and Submissions Report have been prepared by persons appropriately trained to consider and assess the impacts of the proposed activity.
- > It is considered that the REF and Submissions Report provides a true and fair review of the proposed activity in relation to its potential effects on the environment.
- > The REF and Submissions Report are comprehensive and examine and take into account, to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposed activity.

4. Determination

I, BRIAN SALTER, as an authorised person on behalf of TransGrid, have examined and considered the REF and Submissions Report for the Sunnydale Radio Repeater Site in accordance with section 5.5 of the EP&A Act.

I have been provided a detailed briefing on the contents of the REF and Submissions Report, and I have gained an understanding of the impacts of the proposed activity.

As per the requirements of section 2.5.1 of the Code, I have not been involved in conducting the assessment.

The proposed activity is not likely to significantly affect the environment, and is not likely to significantly affect threatened species, populations, ecological communities or their habitats and is not to be carried out on land that is, or is part of a declared area of outstanding biodiversity value.

I determine that an Environmental Impact Statement and Species Impact Statement are not required in respect of the proposed activity. The proposed activity may now proceed subject to the implementation of the mitigation measures in the Submissions Report.

This is not a conditional decision and no further conditions are required (other than the mitigation measures stipulated in the Submissions Report).



Brian Salter

EM/ Legal Governance and Risk

TransGrid

Date: 13.3.20