

# State Environmental Planning Policy No 69—Major Electricity Supply Projects (2001 EPI 587)

[2001-587]



New South Wales

## Status Information

### Currency of version

Repealed version for 27 July 2001 to 31 December 2007 (accessed 26 November 2024 at 13:23)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Policy was repealed by Sch 4 to the [State Environmental Planning Policy \(Infrastructure\) 2007 \(641\)](#) (GG No 185 of 21.12.2007, p 10003) with effect from 1.1.2008.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# State Environmental Planning Policy No 69—Major Electricity Supply Projects (2001 EPI 587)



New South Wales

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# State Environmental Planning Policy No 69—Major Electricity Supply Projects (2001 EPI 587)



New South Wales

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979* in accordance with the recommendation made by the Minister for Urban Affairs and Planning.

ANDREW REFSHAUGE, M.P., Minister for Urban Affairs and Planning

## 1 Name of Policy

This Policy is the *State Environmental Planning Policy No 69—Major Electricity Supply Projects*.

## 2 Aims and objectives of Policy

The aims and objectives of this Policy are:

- (a) to facilitate, subject to environmental impact assessment and public participation, the carrying out of:
  - (i) the Picnic Point to Haymarket electricity supply project, and
  - (ii) the Haymarket to Surry Hills electricity supply project, and
- (b) to co-ordinate the orderly and economic development of land by providing for the independent assessment of those projects under Part 5 of the Act, except as provided by this Policy, and
- (c) to require development applications by persons other than the proponent of a major electricity supply project that involve excavation, or other penetration of the ground, and that may affect the project to be referred for comment to the proponent of the project.

## 3 Definitions

**extractive material** means sand, gravel, clay, turf, soil, rock, stone, sediments, mud, silt

or similar substances, including such substances obtained by dredging.

**Haymarket to Surry Hills electricity supply project** means the project described in Part 2 of Schedule 1.

**major electricity supply project** means the Picnic Point to Haymarket electricity supply project or the Haymarket to Surry Hills electricity supply project.

**Picnic Point to Haymarket EIS** means the environmental impact statement entitled *Proposed underground electricity cable—Picnic Point—Haymarket* prepared on behalf of TransGrid by EDAW (Aust) Pty Limited and Perram and Partners and dated January 2001.

**Picnic Point to Haymarket electricity supply project** means the project described in Part 1 of Schedule 1.

**the Act** means the [Environmental Planning and Assessment Act 1979](#).

#### **4 Land to which Policy applies**

The Policy applies to land within the following local government areas:

- (a) City of Bankstown,
- (b) City of Canterbury,
- (c) City of Hurstville,
- (d) Marrickville,
- (e) City of Rockdale,
- (f) City of South Sydney,
- (g) City of Sydney,

that is affected by a major electricity supply project.

#### **5 Relationship to other environmental planning instruments**

In the event of an inconsistency between this Policy and another environmental planning instrument, whether made before or after this Policy, this Policy prevails to the extent of the inconsistency, subject to section 36 (4) of the Act.

#### **6 Development permissible without development consent**

- (1) A person may carry out development for the purposes of a major electricity supply project without development consent, except as provided by clause 7.
- (2) A person may carry out development for the purpose of winning or obtaining extractive material without development consent if the extractive material is won or

obtained as part of the construction work for a major electricity supply project.

#### **7 Development that may require development consent**

- (1) This clause applies to:
  - (a) development for the purpose of the erection, modification or maintenance of electricity substations on land to which this Policy applies, or
  - (b) development specified in Schedule 2 on the land, or generally in the vicinity of the land, identified in relation to the development in the Picnic Point to Haymarket EIS.
- (2) Development to which this clause applies is to be carried out in accordance with the provisions of any other environmental planning instrument applying to the land on which the development is carried out, subject, in the case of development referred to in subclause (1) (b), to this Policy.

#### **8 Referral of development applications likely to affect major electricity supply projects**

- (1) This clause applies to a development application that is made by a person other than the proponent of a major electricity supply project for development that involves excavation, or other penetration of the ground:
  - (a) within the electricity supply corridor of:
    - (i) that part of the Picnic Point to Haymarket electricity supply project that is located between Sydney Park and Haymarket, or
    - (ii) the Haymarket to Surry Hills electricity supply project, or
  - (b) beyond the relevant depth on land overlying or underlying the electricity supply corridor of:
    - (i) that part of the Picnic Point to Haymarket electricity supply project that is located between Sydney Park and Haymarket, or
    - (ii) the Haymarket to Surry Hills electricity supply project,

that has been notified in writing by the proponent of the project to the consent authority for the development application.
- (2) Within 2 days after receiving a copy of a development application to which this clause applies, the consent authority must:
  - (a) send a copy of the development application to the proponent of the major electricity supply project, and
  - (b) notify the proponent in writing of the date it received the development application.

- (3) The consent authority must not grant development consent to the development application unless it has taken into consideration any comments it has received from the proponent of the major electricity supply project within 21 days after the proponent received a copy of the development application from the consent authority.
- (4) This clause does not cease to apply to a major electricity supply project after its construction.
- (5) This clause ceases to apply to a major electricity supply project if it is not approved by the Minister under Division 4 of Part 5 of the Act within 2 years after the environmental impact statement for the project is first exhibited.
- (6) In this clause:

**electricity supply corridor** of a major electricity supply project (or part) is the land within 10 metres (measured radially) of the centreline of the project route of the project (or part) which includes all ventilation shafts, ventilation tunnels and adits.

**project route** of a major electricity supply project (or part) is the route of any section of the project (or part) located (or proposed to be located) within a tunnel or installed (or proposed to be installed) as part of a tunnel:

- (a) proposed in the environmental impact statement for the project (unless paragraph (b), (c) or (d) applies), or
- (b) proposed in the application for the Minister's approval of the project under Division 4 of Part 5 of the Act (unless paragraph (c) or (d) applies), or
- (c) approved by the Minister, unless paragraph (d) applies, or
- (d) modified by the Minister.

**relevant depth** is 3 metres beneath the existing ground level as at the date of commencement of this Policy.

## Schedule 1 Major electricity supply projects

(Clause 3)

### Part 1 Picnic Point to Haymarket electricity supply project

The Picnic Point to Haymarket electricity supply project comprises the laying and installation of underground electricity supply cables by TransGrid from its Picnic Point substation to a proposed substation at Haymarket. The route runs through the following local government areas:

- City of Bankstown
- City of Canterbury
- City of Hurstville

City of Rockdale

Marrickville

City of South Sydney

City of Sydney.

The project includes all associated or ancillary works, activities, uses, structures and facilities, including (but not limited to) works, activities, uses, structures or facilities in respect of the following, except as provided by clause 7:

- (a) geotechnical studies,
- (b) construction and maintenance or operation of the project including use of conveyor systems and underground transport systems,
- (c) access for construction, maintenance or operation of the project including adits, tunnels, bores, shafts, portals, duct banks and chambers, cable joint bays, insulating fluid tanks and link pits,
- (d) storage, transport or treatment on site of extractive material,
- (e) environmental management and pollution control,
- (f) ventilation structures including temporary and permanent ventilation equipment, intake and outlet vents and shafts,
- (g) co-location of telecommunications cabling and associated structures within underground tunnels, trenches or above ground conduits which constitute part of the project.

The project includes the development specified in Schedule 2.

That part of the project that comprises the laying and installation of electricity cables or the co-location of telecommunications cabling installed in above ground conduits is development that may be carried out without development consent.

## **Part 2 Haymarket to Surry Hills electricity supply project**

The Haymarket to Surry Hills electricity supply project comprises the laying and installation of underground electricity supply cables by EnergyAustralia from TransGrid's proposed Haymarket substation to EnergyAustralia's substation at Ann St, Surry Hills, and connections to City South Substation (in Roden Cutler House, Campbell Street, Sydney) and Campbell Street, Surry Hills, Substation. The route runs through the following local government areas:

City of Sydney

City of South Sydney.

The project includes all associated or ancillary works, activities, uses, structures and facilities, including (but not limited to) works, activities, uses, structures or facilities in respect of the following, except as provided by clause 7:

- (a) geotechnical studies,

- (b) construction and maintenance or operation of the project including use of conveyor systems and underground transport systems,
- (c) storage, transport or treatment on site of extractive material,
- (d) access for construction, maintenance or operation of the project including adits, tunnels, bores, shafts, portals, duct banks and chambers, cable joint bays, insulating fluid tanks and link pits,
- (e) environmental management and pollution control,
- (f) ventilation structures including temporary and permanent ventilation equipment, intake and outlet vents and shafts,
- (g) co-location of telecommunications cabling and associated structures within underground tunnels, trenches or above ground conduits which constitute part of the project.

## Schedule 2 Development for which development consent is required

(Clause 7)

| Local government area            | Development  | Location   | Reference in Picnic Point to Haymarket EIS |
|----------------------------------|--|--|--|
| City of Bankstown                | Modification of existing pipe bridge or new cable bridge | Salt Pan Creek   | Figure 7.6 (a)                             |
| City of Canterbury               | New cable bridge   | Wolli Creek Crossing   | Figure 7.6 (b)                             |
| City of Canterbury, Marrickville | New cable bridge with cycleway and associated works      | Cooks River  | Figure 7.6 (c)                             |
| City of South Sydney             | Erection of tunnel adit and access structure             | Sydney Park between Sydney Park Road and the chainage zero position beside Euston Road, near the tunnel centreline | Figure 7.13 (a)                            |
| City of South Sydney             | New cable bridge across stormwater canal                 | Sydney Park  | Figure 7.6 (c)                             |

That part of any development specified in this Schedule that comprises the laying and installation of electricity cables or the co-location of telecommunications cabling installed in above ground conduits is development that may be carried out without development consent.