

State Policies and Projects Act 1993
Section 26(6)

**ORDER ENABLING BASSLINK PROJECT OF STATE
SIGNIFICANCE TO PROCEED**

I, Lieutenant-Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council and on the recommendation of the Minister, make this order under section 26(6) of the *State Policies and Projects Act 1993* ('the Act').

It is ordered that the proposal by Basslink Pty Ltd (ACN 090 996 231) ("the company") for the establishment of an interconnection linking the Tasmanian and Victorian electricity grids by a high voltage direct current submarine cable across Bass Strait ("the proposal") may proceed on the following conditions -

CONDITIONS

Land Use Planning and Environmental Conditions

The proposal may proceed on the conditions set out in Schedule A to this Order, as if those conditions were the conditions of a permit issued to the company under the *Land Use Planning and Approvals Act 1993*.

The agency responsible for the enforcement of the conditions in Schedule A to this Order which appear under the heading "Schedule 1 - Land Use Planning Conditions" is the George Town Council.

The agency responsible for the enforcement of the conditions in this Schedule A to this Order which appear under the heading "Schedule 2 - Environmental Conditions" is the Department of Primary Industries, Water and Environment.

Electricity Supply Conditions

The proposal may proceed on the conditions set out in Schedule B to this Order, as if those conditions were the conditions of a licence for the transmission of electricity issued to the company under the *Electricity Supply Industry Act 1995*.

The agency responsible for the enforcement of those conditions is the Office of the Tasmanian Energy Regulator.

Threatened Species conditions

The proposal may proceed on the conditions set out in Schedule C to this Order, as if those conditions were the conditions of a permit issued to the company under the *Threatened Species Protection Act 1995*.

The agency responsible for the enforcement of those conditions is the Department of Primary Industries, Water and Environment.

Easement condition

The proposal may proceed on condition that an easement is first granted to the company under section 28 of the *Forestry Act 1920* in accordance with Schedule D to this Order.

Dated 1 August 2002

W J E Cox

LIEUTENANT-GOVERNOR

By His Excellency's Command

J A Bacon

PREMIER

SCHEDULE A

Land Use Planning and Environmental Conditions

Schedule 1 – Land Use Planning Conditions

Part 1 – Definitions

‘land’, ‘use’ and ‘development’

have the same meaning as they are given in the *Land Use Planning and Approvals Act 1993*.

‘road authority’

has the same meaning as it is given in the *Roads and Jetties Act 1935*.

The definitions referred to in Part 1 of Schedule 2 also apply to Schedule 1, except that in this Schedule:

‘activity’

includes any activity concerning the use or development of the land in accordance with an order under section 26(6) of the *State Policies and Projects Act 1993* approving the Basslink Project.

Part 2 – Conditions

S1.1 General

- S1.1.1 Use and development, including its location, must be substantially in accordance with the final Basslink Integrated Impact Assessment Statement (IIAS) except as modified by these conditions.
- S1.1.2 The person responsible for the activity must prepare and submit to the planning authority all plans for structures that would normally require approval under the *Local Government (Building and Miscellaneous Provisions) Act 1993* and be subject to the Building Regulations 1994, Building Code of Australia and relevant Australian Standards.
- S1.1.3 All activity must be undertaken in accordance with the plans to the satisfaction of the planning authority.

S1.2 Agriculture

- S1.2.1 If footrot, lice or Ovine Johnes disease (OJD) in any animals (on land traversed by Basslink) is determined by the Food, Agriculture and Fisheries Division of the Department of Primary Industries, Water and Environment (DPIWE), the person responsible for the activity must prepare and submit to the planning authority an Agricultural Management Strategy for referral to the Food, Agriculture and Fisheries Division of DPIWE. The strategy is to include, but is not limited to, how to limit the risk of spreading footrot, lice or Ovine Johnes disease (OJD) in the course of any use or development authorised by the order approving the project.
- S1.2.2 Construction activities must not take place unless the Agricultural Management Strategy has been prepared to the satisfaction of the planning authority.
- S1.2.3 The activity must be undertaken in accordance with the Agricultural Management Strategy prepared to the satisfaction of the planning authority.

S1.3 Infrastructure

- S1.3.1 The person responsible for the activity must ascertain the location of affected infrastructure, including water pipelines prior to commencement of construction activity.
- S1.3.2 Any user, including water users, potentially affected by construction activity must be advised at least forty-eight (48) hours prior to interruption of supply or service.
- S1.3.3 The person responsible for the activity must:
- (a) prior to commencing construction activity, identify the roads which it intends to use for heavy vehicles during construction activity; and
 - (b) compensate the road authority to the extent of increased costs reasonably incurred by the road authority for the repair and/or reinstatement of any roads (or bridges) which the person responsible for the activity uses for heavy vehicles during construction activities.
- S1.3.4 Certified engineering plans for all access roads and standing areas must be developed to the satisfaction of the road authority prior to the commencement of any road works. The plans must provide detail on, but not be limited to, treatment methods associated with the disturbance of sand dunes and/or sand patches resulting from the roadworks as well as control of stormwater runoff.
- S1.3.5 Works to be undertaken within roads must be undertaken to the standards required by the road authority.
- S1.3.6 Any new access from public roads to development sites must be located and constructed to the satisfaction of the road authority.
- S1.3.7 A Traffic Management Plan must be prepared and implemented to the satisfaction of the road authority. The Plan must be in accordance with Australian Standard AS 1742.3 Manual of uniform traffic control devices part 3 – Traffic control devices for works on roads and satisfy management codes of good practice applicable in Tasmania as applied by Roads and Public Transport of the Department of Infrastructure, Energy and Resources.

S1.4 Visual Amenity

- S1.4.1 The activity must be undertaken in accordance with the commitments made in the final IAS to minimise impacts of new overhead transmission lines and associated infrastructure on views and amenity.
- S1.4.2 The walls and roof of the buildings associated with the transition and converter stations must be coloured to tone in with the landscape setting or natural appearance of the area.
- S1.4.3 Overhead transmission line towers must be in accordance with the commitments given in the final IAS and relevant Australian Standards.

S1.5 Construction

- S1.5.1 Construction associated with the trenching option must avoid actively mobile landforms.
- S1.5.2 Upon commencement of construction activity, the person responsible for the activity must facilitate regular contact with affected landowners or occupiers of the land and take reasonable endeavours to notify landowners and occupiers of the land of schedules of activity including any general equipment movement schedules.
- S1.5.3 The construction activities must be undertaken in accordance with the final IAS and the commitments given in the Strategic EMP and all relevant Building Regulations and Australian Standards. This must include, but is not limited to, the following:
- (a) All construction areas must be minimised and appropriately marked out to the satisfaction of the planning authority.

- (b) Construction sites must include a fuel banded safety area and fuel spill kit where fuels are stored on-site.
 - (c) Construction vehicles must be restricted to defined and marked access routes and standing areas.
 - (d) Access roads must be constructed with minimal disturbance to native vegetation communities and fauna habitats in accordance with the principles and recommendations in the Strategic EMP.
 - (e) Lighting used at the site must be low impact with little or no disruption to sensitive viewing points in the immediate area.
 - (f) In the event that any Aboriginal sites are located during works associated with the development, then works must cease and the Tasmanian Aboriginal Land Council and the Aboriginal Heritage Section of DPIWE must be informed to enable further assessment and advice prior to recommencing works.
 - (g) Aboriginal site TASI 8743 must be avoided with the provision of a buffer zone in a 20 m radius around the site.
 - (h) Aboriginal site TASI 8750 must be avoided with the provision of a buffer zone in a 50 m radius around the site.
 - (i) A protocol must be developed following consultation with the Tasmanian Aboriginal Land Council and the Aboriginal Heritage Section of DPIWE for the assessment/management of unrecorded heritage sites that may be identified through preconstruction survey and construction monitoring. The activity must be undertaken in accordance with the protocol prepared to the satisfaction of DPIWE.
- S1.5.4 The activity must be in accordance with commitments made in the final IAS as these relate to Aboriginal Heritage and Historic Cultural Heritage.
- S1.5.5 The group of trees within the eastern corridor in Lauriston Park opposite the George Town substation must be retained where practical. An arboricultural assessment to determine the botanical and, or, amenity values must be undertaken before trees are removed. The assessment is to be carried out in consultation with the George Town Council.
- S1.5.6 Prior to the commencement of operation, a Safety Management System (SMS) for the construction phase and a Safety and Emergency Response Plan, in accordance with Aspect 14 of the Strategic EMP, must be prepared to the satisfaction of the State Emergency Service.

S1.6 Fire management

- S1.6.1 Prior to the commencement of construction activities, a Fire Management Plan must be prepared to the satisfaction of the Tasmanian Fire Service. The activity must be undertaken in accordance with the plan.
- S1.6.2 Timber from the cleared easement must be salvaged to reduce fuel that may create a risk of fire.
- S1.6.3 Personnel, including contractors, must be trained and equipped to suppress any fires caused in the construction phase or during maintenance.
- S1.6.4 Activities within the easement must be integrated with fire agency fuel management operations.

Schedule 2 – Environmental Conditions

Part 1 – Definitions

'activity'

means an environmentally relevant activity (as defined in section 3 of the EMPC Act) to which this order relates, and includes more than one such activity.

‘Best Practice Environmental Management’ or ‘BPEM’

has the meaning described in section 4 of the EMPC Act.

‘Board’

means the Board of Environmental Management and Pollution Control established under section 12 of the EMPC Act.

‘coastal zone’

has the meaning described in the State Coastal Policy 1996.

‘construction activities’

means activities associated with the construction phase of the activity.

‘construction corridor’

means the portion of land within which the transmission line and cable construction activities (other than the construction of vehicle access tracks and work camps) may take place, and includes all areas of soil and/or vegetation disturbance from such activities.

‘controlled waste’

has the meaning given to that expression in section 3 of the EMPC Act.

‘dangerous goods’

has the meaning given to that expression in the *Dangerous Goods Act 1998*.

‘Director’

means the Director of Environmental Management holding office under section 18 of the EMPC Act and includes a person authorised in writing by the Director of Environmental Management to exercise the relevant power or function on the Director’s behalf.

‘DPIWE’

means the Department of Primary Industries, Water and Environment, and includes any other Department to which the administration of all or part of the EMPCA may be assigned.

‘EMP’

means Environmental Management Plan.

‘EMPC Act’

means the *Environmental Management and Pollution Control Act 1994*.

‘environmental harm’, ‘material environmental harm’ and ‘serious environmental harm’

each have the meaning given in section 5 of the EMPC Act.

‘final IAS’

means the Draft Integrated Impact Assessment published by Basslink Pty Ltd in June 2001 and the document submitted by Basslink Pty Ltd to Environment Australia in July 2002 as a supplement to the Draft Integrated Impact Assessment Statement.

‘person responsible for the activity’

means any person who is or was responsible for the environmentally relevant activity for which this order is made and includes the officers, employees and agents of that person, and includes a body corporate.

‘planning authority’

means the George Town Council.

‘proposed alignment’

means the proposed transmission line and cable alignment as indicated in Figure 11.1 of the final IAS.

‘Strategic EMP’

means the Appendix to the final IAS entitled, Strategic Environmental Management Plan.

‘SPP Act’

means the *State Policies and Projects Act 1993*.

‘the land’

means the land indicated in Figure 8.1 of the final IAS. The land includes:

- (a) buildings and other structures permanently fixed to the land;
- (b) land covered with water; and
- (c) water covering land.

Any reference to an Australian Standard is to be taken as a reference to the most recent edition of that Standard, unless otherwise stated.

Part 2 – Conditions

S2.1 General

S2.1.1 A copy of the conditions and any associated documents referred to in these conditions must be held in a location which is known and accessible to the person responsible for the activity at all times. The person responsible for the activity must take all reasonable steps to ensure that all persons who are at any time responsible for the activity carried out on the land on which the activity will take place, including contractors and sub-contractors, are familiar with any requirements of these conditions which are relevant to their work, prior to these persons commencing work.

S2.1.2 If the person who is or was responsible for the activity ceases to be responsible for the activity, then, as soon as possible but not later than 30 days after that cessation, that person must:

- (a) notify both the planning authority and the Director in writing of that fact; and
- (b) provide both the planning authority and the Director with full particulars in writing of any person succeeding him or her as the person responsible.

S2.1.3 If an incident causing or threatening environmental nuisance, or serious or material environmental harm from pollution, occurs in the course of the activity, then the person responsible for the activity must immediately take all practicable action to minimise any adverse environmental effects from the incident.

S2.2 General construction issues

S2.2.1 Construction activity must be undertaken in accordance with the environmental management commitments made in the Strategic EMP.

S2.2.2 At least one month prior to the intended commencement time of construction activities, a Stormwater Management Strategy must be prepared to the satisfaction of the Board. The Strategy must be consistent with best practice environmental management in accordance with section 31 of the State Policy on Water Quality Management 1997.

S2.2.3 Construction activities must not take place unless the Stormwater Management Strategy has been prepared to the satisfaction of the Board.

S2.2.4 The activity must be undertaken in accordance with the Stormwater Management Strategy prepared to the satisfaction of the Board.

- S2.2.5 Sediment control measures such as erosion control berms and sediments pits must be installed immediately following clearing and grading activities on and at the base of any slope in the construction corridor which leads down to a watercourse, and the installation must comply with any written requirements of the Director.
- S2.2.6 Erosion control structures must be regularly inspected and maintained to ensure that they are performing effectively, particularly after high intensity rainfall or run-off events. The inspection and maintenance must be carried out in accordance with any written requirements of the Director.
- S2.2.7 Existing access tracks must be utilised wherever practicable to access the construction corridor. Reasonable steps must be taken to ensure that vehicles remain on designated access roads and tracks and within the construction corridor.

S2.3 Change in proposed alignment

- S2.3.1 The person responsible for the activity must notify the Director of any proposed change to the eastern alignment of underground cables and overhead transmission lines and respective tower placements of greater than 15 metres prior to commencing construction activities in relation to the proposed change of alignment and/or placement. The notification must include the following:
- (a) details and reason for the proposed change/s;
 - (b) details of any additional environmental survey undertaken or proposed to be undertaken in relation to the proposed change/s;
 - (c) details of any environmental impact which is expected to or which may arise from the proposed change/s; and
 - (d) details of any proposed management measures to avoid or mitigate environmental impacts.

S2.4 Fauna

- S2.4.1 The activity must be undertaken in accordance with the environmental management commitments contained in the Strategic EMP, including but not limited to the following:
- (a) Habitat Loss or Disturbance
 - (i) Old-growth trees must be avoided, where possible, when selecting routes for the access tracks outside the easement.
 - (b) Barrier Effects
 - (i) The activity must avoid significant island-type remnants.
 - (ii) Retain native vegetation below 1.65 m in height below the overhead line where practicable.
 - (iii) Permanent access tracks must be as narrow as possible to minimise the clearance of native vegetation and must avoid impact on any threatened species unless no prudent and feasible alternatives exist.
 - (c) Disturbance to Local Populations
 - (i) The activity must not be located within 500 m of a wedge-tailed eagle nest.
 - (ii) During the period of 1 August and 1 February construction activities, or maintenance activities which last for a continuous period of greater than 30 minutes, or maintenance activities which last for more than a total period of 60 minutes within a 24 hour period, must not occur within:
 - 1000 metres of a wedge-tailed eagle nest if the construction activities or maintenance activities are in line-of-sight of the nest site; or

500 metres of a wedge-tailed eagle nest site if the construction activities or maintenance activities are not in line-of-sight of the nest site.

(iii) Notwithstanding the periodic restrictions of condition S2.4.1(c)(ii) emergency repairs can occur up to but not within 500 m of a wedge-tailed eagle nest where the DPIWE Threatened Species Unit has been consulted on impact minimisation and the Unit's advice is acted upon.

(d) Bird Collisions with Lines and Towers

(i) The risk of bird strike must be minimised by siting overhead lines as far away from wetlands as practicable.

(ii) Where wetlands are nearby (ie British Lagoon wetland complex), overhead lines must be aligned in parallel with the predominant flight paths as much as practicable to minimise the risk of bird strike.

(iii) Bird flight diverters on overhead lines, including the earth wire, must be installed where appropriate.

(iv) Spacing of the conductor, return line and earth wire must be greater than 1.59 m to minimise the risk of electrocution of birds.

(v) Maintenance activities must include removal of any nesting material.

S2.4.2 Within six months of the order approving the project, a Fauna Management Plan must be prepared to the satisfaction of the Board. The plan must include, but is not limited to, details of the following:

(a) a program developed in consultation with DPIWE and relevant landowners to achieve the objective of no net loss of the ecological values of threatened fauna habitats as a result of the activity (which may include the creation of, or the prevention, repair or mitigation of damage to, habitats of threatened fauna inside and/or outside the construction corridor);

(b) an implementation timetable for key aspects of the plan; and

(c) a review and reporting program to regularly advise the Director of the results of the implementation of the plan.

S2.4.3 The activity must be undertaken in accordance with the Fauna Management Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

S2.5 Flora

S2.5.1 The activity must be undertaken in accordance with the environmental management commitments contained in the Strategic EMP, including but not limited to the following:

(a) Minimise Vegetation and Habitat Loss

(i) Retain native trees within the agricultural landscape throughout the route wherever possible.

(ii) Site towers to span native vegetation near roadsides wherever possible to reduce vegetation clearance and therefore permit the passage of native fauna along the existing habitat corridor.

(iii) Where the alignment is to support an overhead line, retain where practicable ground cover, shrubs to 1.65 m and all vegetation in some riparian gullies, to facilitate fauna movement and allow regeneration of flora species disturbed during the construction phase.

(iv) Retain intact flora in gullies and understorey in the native forest sections by using high towers where practicable.

(b) Minimise Vegetation Disturbance

- (i) Retained native vegetation near to, but outside, the construction zone (including scattered native trees) must be fenced or marked prior to any construction activities to prevent accidental damage, including damage to the root systems by construction traffic, mechanical injury, or alteration to soil surface conditions. Marked or fenced areas should be clearly identified as 'no go zones', and access by machinery or construction personnel must be prohibited.
 - (ii) Construction methods and machinery must be selected with the aim of minimising disturbance to soil, vegetation and fauna habitat as far as possible. Clearing prior to construction must avoid mechanical or other damage (eg fuel spills) to retained vegetation. No windrows, soil or other debris must be pushed into retained vegetation.
 - (iii) Subject to the terms of the Fire Management Plan prepared under condition S1.6, the removal of felled coarse woody material must be minimised where practicable to reduce soil disturbance that would significantly impact upon the habitat diversity within the easement and on the shrub and ground flora present.
 - (iv) For sections of alignments that affect areas of native vegetation, the width of the area cleared or otherwise disturbed during construction must be kept to a minimum. Construction earthworks, machinery traffic and other disturbance must be kept within the final easement width wherever possible.
 - (v) Material stockpiles must be placed on cleared land rather than in areas of native vegetation.
- (c) Biodiversity Conservation
- (i) Avoid siting towers in vegetation communities of high conservation significance.
 - (ii) Avoid siting towers in remnant vegetation in agricultural land, such as heathlands and wetlands.
 - (iii) Avoid siting towers in vegetation known to support threatened flora species.
 - (iv) Undertake tower site clearance surveys at appropriate times of the year to identify ephemeral threatened species (eg orchids) and allow them to be avoided, relocated or propagated. Revegetation works must, where practicable, utilise tree, shrub and groundcover material from areas to be cleared to propagate tube stock or provide material for other revegetation techniques, such as brush matting or weed-free mulch.
 - (v) Prevent sediment runoff into wetlands from ground disturbance.
- (d) Managing for Cinnamon Fungus (*Phytophthora cinnamomi*)
- (i) Avoid, to the extent practicable, the development of infrastructure in areas known to support *Phytophthora*-sensitive species (heathland and heathy woodland) and minimising access tracks.
 - (ii) The proposed route must be surveyed for the occurrence of *Phytophthora cinnamomi* prior to construction and any infestations marked. Machinery and personnel must not move from infected areas into uninfected areas without the appropriate hygiene precautions as detailed in the *Phytophthora cinnamomi* Hygiene Manual. (Parks and Wildlife Service, Tasmania (1993)).
- (e) Sediment and Drainage Control
- (i) The movement of sediment, weed seeds or pollutants from the construction zone into adjacent vegetation and waterways must be prevented.
- (f) Monitoring and Maintenance

- (i) Monitor for any changes in species richness of native vegetation within the post-construction easement and respond, where practicable, if changes are identified.

S2.5.2 Within six months of the order approving the project, a Flora Management Plan must be prepared to the satisfaction of the Board. The plan must include, but is not limited to, details of the following:

- (a) a program developed in consultation with DPIWE and relevant landowners to achieve the objective of no net loss of the vegetation values of threatened floral communities as a result of the activity (which may include the creation of, or the prevention, repair or mitigation of damage to, threatened floral communities inside and/or outside the construction corridor);
- (b) an implementation timetable for key aspects of the plan; and
- (c) a review and reporting program to regularly advise the Director of the results of the implementation of the plan.

S2.5.3 The activity must be undertaken in accordance with the Flora Management Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

S2.6 Horizontal directional drilling (above high water mark)

S2.6.1 The activity must be undertaken in accordance with the environmental management commitments contained in the Strategic EMP and the Shore Crossing Management Plan (see S2.7).

S2.6.2 Drilling fluid must be stored in an impervious containment facility which has been designed and maintained in such a way as to prevent emissions to groundwater.

S2.6.3 Drilling fluid collection and storage areas must be designed, maintained and managed in such a way as to prevent overflow of drilling mud, including during periods of heavy and prolonged rainfall.

S2.6.4 Drilling fluid and drilling hole cuttings must be stored, reused and/or disposed of in a manner and at a location in accordance with any written requirements of the Director.

S2.6.5 At least one month prior to the intended commencement time of activities for the horizontal directional drilling option, a report must be submitted to the Director which outlines the location of the proposed drill rig site and drill exit point, and the nature and volume of drilling fluid to be used and cuttings to be generated and the management of any wastes.

S2.6.6 Laying of the combined transmission, fibre-optic and metallic return cables under the dune system at Four Mile Bluff must be undertaken using a horizontal directional drilling construction method unless it can be demonstrated to the satisfaction of the Director that it is technically infeasible to do so, including, but not limited to, three pilot hole failures for the combined transmission, fibre-optic and metallic return cable holes.

S2.6.7 The person responsible for the activity must notify the Director in writing as soon as practicable if the person responsible for the activity considers that it is likely that it will abandon the intention to use, or the use of horizontal directional drilling for the laying of the transmission, fibre-optic and metallic return cables under the dune system at Four Mile Bluff. The notice must include reasons why the abandonment of horizontal directional drilling is being considered.

S2.6.8 The person responsible for the activity must notify the Director within 24 hours of a decision to abandon the horizontal directional drilling for the laying of the transmission, fibre-optic and metallic return cables under the dune system at Four Mile Bluff. The notice must provide reasons for the decision.

S2.7 Four Mile Bluff shore crossing (above high water mark)

S2.7.1 At least one month prior to the intended commencement time of construction activities a Shore Crossing Management Plan must be prepared to the satisfaction of the Board. The plan must be consistent with the commitments made in the Strategic EMP, unless otherwise modified by the Director. The plan must include, but is not necessarily limited to, details of the following:

- (a) the construction method(s) to be used within the coastal zone;
- (b) coastal engineering studies examining potential impacts on coastal processes of the proposed construction methods and infrastructure and demonstrating the ability of the infrastructure to withstand a storm with a return period of 100 years and any changes to coastal morphology that might reasonably be expected to occur within the lifespan of the infrastructure;
- (c) results and methodology of a detailed fauna survey of the land within the area of the high water mark for the construction activities;
- (d) proposed management measures to avoid or minimise environmental impacts, including erosion, and impacts on coastal processes and terrestrial flora and fauna;
- (e) proposed dune stabilisation and revegetation measures;
- (f) a proposed monitoring and maintenance program;
- (g) an implementation timetable for key aspects of the plan; and
- (h) details of any maintenance works that may be required from time to time.

S2.7.2 Construction activities must not take place unless the Shore Crossing Management Plan has been prepared to the satisfaction of the Board and conditions S2.6.6 and S2.6.8 have been met by the person responsible for the activity.

S2.7.3 The activity must be undertaken in accordance with the Shore Crossing Management Plan prepared to the satisfaction of the Board, any amendment to the plan prepared to the satisfaction of the Director, and conditions S2.6.6 and S2.6.8 have been met by the person responsible for the activity.

S2.8 Rehabilitation Plan

S2.8.1 At least one month prior to the intended commencement time of construction activities, a Rehabilitation Plan must be prepared to the satisfaction of the Board. The plan must be consistent with the environmental management commitments made in the Strategic EMP, unless otherwise modified by the Director. The plan must provide details of the rehabilitation program for all areas disturbed as a result of construction activities on the land, including the work camps, storage areas, ancillary facilities, and temporary access tracks. The plan must include, but is not necessarily to be limited to, details in relation to the following:

- (a) stabilisation measures;
- (b) surface recontouring;
- (c) soil compaction relief;
- (d) erosion and sediment control;
- (e) resspreading of topsoil;
- (f) regeneration and revegetation;
- (g) replacement of habitat structural elements;
- (h) measures for restricting vehicle access to rehabilitated areas;
- (i) monitoring and maintenance program; and

- (j) implementation timetable for key aspects of the plan.

The plan must place particular emphasis on areas where native vegetation will be disturbed.

S2.8.2 Construction activities must not take place unless the Rehabilitation Plan has been prepared to the satisfaction of the Board.

S2.8.3 The activity must be undertaken in accordance with the Rehabilitation Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

S2.9 Weed and Disease Management Plan

S2.9.1 At least one month prior to the intended commencement time of construction activities, a Weed and Disease Management Plan must be prepared to the satisfaction of the Board. The plan must be consistent with the environmental management commitments made in the Strategic EMP, unless otherwise modified by the Director. The plan must include, but is not necessarily limited to, details of the following:

- (a) weed and disease identification procedures;
- (b) proposed weed eradication measures;
- (c) vehicle and equipment washdown protocols;
- (d) access restrictions;
- (e) the areas where management measures will be implemented;
- (f) a proposed monitoring and maintenance program; and
- (g) an implementation timetable for key aspects of the plan.

S2.9.2 Construction activities must not take place unless the Weed and Disease Management Plan has been prepared to the satisfaction of the Board.

S2.9.3 The activity must be undertaken in accordance with the Weed and Disease Management Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

2.10 Air Quality

S2.10.1 The activity must be undertaken in accordance with the environmental management commitments made in the Strategic EMP.

S2.10.2 Cleared vegetation must not be disposed of by burning unless no other reasonable and practicable disposal options are available, and must be undertaken in such a way as to prevent emissions from causing an environmental nuisance beyond the boundaries of the construction corridor and in accordance with any written requirements of the Director.

S2.10.3 Converter Station SF₆ Management

- (a) The activity must minimise releases of sulfur hexafluoride (SF₆) to the atmosphere through the following measures:
 - (i) Install only SF₆ filled equipment compliant with best practice defined in international standards with respect to leakage. Current requirement is for an annual leakage rate of less than 1% per year per gas compartment.
 - (ii) Maintain SF₆ filled equipment so that, as far as is reasonably practicable, leakage is maintained at less than 1% per year for the service life of that equipment.
 - (iii) Adopt maintenance strategies and work methods that minimise releases of SF₆ to the atmosphere. Specifically, utilise SF₆ recovery equipment with the capability to recycle gas during maintenance operations that require internal access to gas compartments.

(iv) Maintain an inventory of SF₆ stocks and to track usage.

(v) Recycle SF₆ gas when equipment is decommissioned.

S2.10.4 Dust avoidance and mitigation measures must be implemented to prevent dust emissions from causing an environmental nuisance beyond the boundaries of the construction corridor, and must accord with any written requirements of the Director.

S2.11 Noise

S2.11.1 The activity must be undertaken in accordance with the environmental management commitments made in the Strategic EMP.

S2.11.2 Operational noise limits of the converter station must meet the Australian Standards AS1055, AS2107 and AS2374.6 and be limited to the background noise level +5 dB from any sensitive premises.

S2.11.3 Construction activities within 200 metres of a residence or other sensitive use must only occur within the hours of 7.00 am to 7.00 pm Monday to Saturday and 8.00 am to 6.00 pm on Sunday, unless otherwise modified by the Director or unless the consent of the occupant(s) of the residence or premises has been obtained.

S2.11.4 Noise abatement devices or techniques must be employed where practicable to prevent noise emissions from causing an environmental nuisance to the general public or sensitive areas.

S2.12 Waste and hazardous materials

S2.12.1 The development must be undertaken in accordance with the environmental management commitments made in the Strategic EMP.

S2.12.2 All wastes generated in the course of the development, including construction waste and domestic waste, must be managed in accordance with the hierarchy of waste management. That is, wastes must be managed in the following manner:

- (a) waste must be minimised, that is, the generation of waste must be reduced to the maximum extent that is reasonable and practicable having regard to best practice environmental management;
- (b) waste must be re-used or recycled to the maximum extent that is reasonable and practicable; and
- (c) any remaining waste must be disposed of at a site permitted by the planning authority for the purpose of disposal of the relevant solid waste.

S2.12.3 At least one month prior to the intended commencement time of construction activities, a Construction Solid Waste Management Plan must be prepared to the satisfaction of the Board. The plan must be consistent with the environmental management commitments made in the Strategic EMP, unless otherwise modified by the Director. The plan must include a program for the management of solid waste generated by construction activities, and in particular packaging waste, in accordance with the hierarchy of waste management.

S2.12.4 Construction activities must not take place unless the Construction Solid Waste Management Plan has been prepared to the satisfaction of the Board. S2.12.5 The activity must be undertaken in accordance with the Construction Solid Waste Management Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

S2.12.6 The storage and transportation of dangerous goods or controlled waste must be kept to the minimum reasonably practicable.

S2.12.7 All vessels containing dangerous goods or controlled waste must, as far as reasonably practicable, be located within impervious bunded areas or spill trays of appropriate

capacity, and in accordance with relevant Australian Standards, including AS 1940 and AS 2507, and in accordance with any written requirements of the Director.

S2.12.8 Where controlled wastes are transported from the land for fee or reward, the person responsible for the development must ensure that the transporter is the holder of a current Waste Transport Business Environment Protection Notice issued in accordance with the EMPC Act.

S2.12.9 Portable toilet facilities must be provided and maintained at all major work sites, including horizontal directional drilling sites and ancillary facility installation sites.

S2.13 Risk and safety

S2.13.1 The activity must be undertaken in accordance with the environmental management commitments made in the Strategic EMP.

S2.13.2 At least one month prior to the intended commencement time of construction activities, a Hydrocarbon Spill Contingency Plan must be prepared to the satisfaction of the Board. The plan must include management procedures to avoid or minimise environmental impacts associated with an incident which involves, or has the potential to involve, the discharge of liquid hydrocarbons into the environment.

S2.13.3 Construction activities must not take place unless the Hydrocarbon Spill Contingency Plan has been prepared to the satisfaction of the Board.

S2.13.4 Construction activities must be undertaken in accordance with a Hydrocarbon Spill Plan prepared to the satisfaction of the Board, and any amendment to the plan prepared to the satisfaction of the Director.

S2.14 Decommissioning and rehabilitation

S2.14.1 If the permanent cessation of operations on part or all of the land is planned (other than a temporary suspension of operations) then the Director must be notified of this intention:

- (a) at least 30 days prior to the planned date of cessation; or
- (b) within 14 days of the person responsible for the development becoming aware that the cessation is planned; or
- (c) if notification to the Australian Stock Exchange is required under 'Chapter 3 Continuous Disclosure' of the Australian Stock Exchange Listing Rules then, within 24 hours after that notification of the planned cessation;

whichever is the earliest date.

S2.14.2 Following permanent cessation of operations, rehabilitation of the land must be carried out in accordance with a Decommissioning and Rehabilitation Plan prepared to the satisfaction of the Board. The plan must be prepared in accordance with guidelines to be provided by the Director, and by such date as the Director may specify in writing.

Attachment 1 – To Schedule 2

Additional Information

1. General requirements

The activity must be conducted in accordance with the requirements of the *Environmental Management and Pollution Control Act 1994* and Regulations thereunder, in accordance with the requirements of any relevant State Policies, and in accordance with the principles of Best Practice Environmental Management. These conditions of the order approving the project must not be construed as an exemption from any of those requirements or principles.

2. Notification of incidents under s.32 of EMPCA

- (1) A person responsible for an activity that is not a level 2 activity or a level 3 activity must notify the relevant planning authority, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as the result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.
- (2) A person responsible for an activity that is a level 2 activity or a level 3 activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause an environmental nuisance.
- (3) A person responsible for an environmentally relevant activity must notify the Director, as soon as reasonably practicable but not later than 24 hours, after becoming aware of the release of a pollutant occurring as a result of any incident in relation to that activity, including an emergency, accident or malfunction, if this release causes or may cause serious or material environmental harm. The Director can be notified by telephoning 1800 005 171 (a 24-hour emergency telephone number).
- (4) Any notification referred to in subsection (1), (2) or (3) must include details of the incident, its nature, the circumstances in which it occurred and any action that has been taken to deal with it. This notification can be faxed to the Director on 62 333 800, or delivered by hand.
- (5) Any notification given by a person in compliance with this section is not admissible in evidence against the person in proceedings for an offence or for the imposition of a penalty (other than proceedings in respect of the making of a false or misleading statement).

3. Dangerous goods and blasting requirements

The activity must be conducted in accordance with the requirements of the *Dangerous Goods Act 1998* and Regulations thereunder.

SCHEDULE B

Electricity Supply Conditions

Electricity supply industry transmission licence

Schedule of conditions under which the holder of the Licence may operate that part of the transmission network subject to Tasmanian jurisdiction.

1 Definitions and Interpretation

- 1.1 In this licence, words and phrases appearing in italics have the meaning ascribed to them in part 1 of schedule 1 and schedule 3.
- 1.2 This licence must be interpreted in accordance with the rules set out in part 2 of schedule 1.

2 Grant of licence

The *Licensee* is authorised and licensed to operate the *transmission network* described in schedule 3, subject to the conditions of this licence.

3 Compliance with Laws and Other Requirements

- 3.1 The *Licensee* must comply with the *Act*, the *Regulations* and the *Code*.
- 3.2 For the avoidance of doubt, the *statutory licence conditions* are deemed to form part of this licence and the *Licensee* must comply with the *statutory licence conditions*.

4 Other Licence Conditions

This licence is subject to the conditions set out in schedule 2 and the *Licensee* must comply with the conditions set out in schedule 2.

5 Term of Licence

Subject to this licence and the *Act*, this licence takes effect on and from the making of an order by the Governor under section 26(6) or 26(8) of the *State Policies and Projects Act 1993* approving the Basslink Project for a period of 10 years.

6 Renewal of Licence

- 6.1 This licence is renewable subject to the *Licensee* meeting the following conditions at the time of renewal:
- (a) the *Licensee* is not an externally-administered body corporate as defined in *Corporations Law*;
 - (b) the *Licensee* has an acceptable credit rating or financial standing to comply with its obligations under this licence;
 - (c) the *Licensee* has not surrendered the licence in accordance with the *Act*;
 - (d) the licence has not been cancelled by the *Regulator* in accordance with the *Act*; and
 - (e) the *Regulator* has not taken over the operations of the *Licensee* in accordance with the *Act*.

6.2 An application for renewal must be made in accordance with section 21 of the *Act*.

7 Payment of Fees and Charges

7.1 The *Licensee* must pay to the *Regulator* an initial licence fee of \$5,000.00

7.2 The fee referred to in clause 7.1 is payable 14 days after the date of issue of the licence.

7.3 The *Licensee* must pay to the *Regulator* an annual licence fee determined by the *Regulator* and notified to the *Licensee* in writing by 31 May of each year.

7.4 The annual licence fee is payable in advance on the first day of July in each year.

8 Communications

8.1 A *communication* must be in writing.

8.2 A *communication* is to be regarded as having been given by the sender and received by the addressee:

- (a) when delivered in person to the addressee;
 - (b) where sent by post, on the 3rd *business day* after the date of posting, if the *communication* is posted within Australia;
 - (c) where sent by post, on the 7th *business day* after the date of posting, if the *communication* is posted outside Australia;
 - (d) when the sender has received a facsimile transmission report stating that the addressee has received all pages of the facsimile; or
 - (e) when sent by electronic mail, when the *communication* is recorded as having been first received at the electronic mail destination.
-

Schedule 1 – Definitions and Interpretation

1 Definitions

In this licence:

- (a) words which are defined in the *Act* have the same meaning where used in this licence; and
- (b) the following words or phrases have the following meanings:

‘Act’

means the *Electricity Supply Industry Act 1995* (Tas);

‘asset management plan’

means a written plan developed by the *Licensee* outlining the procedures, practices and strategies for managing, auditing and reporting on, the asset management of the *Licensee’s transmission network*;

‘Basslink facility’

means the *transmission network* connecting the *Tasmanian power system* to the Victorian power system, as described in schedule 4.

‘business day’

means a day on which banks are open for general banking business in Hobart, excluding a Saturday, Sunday or public holiday;

‘Code’

means the Tasmanian Electricity Code issued in accordance with section 49A of the *Act*;

‘communication’

means a written notice, agreement, consent, direction, representation, advice, statement or other communication required or given pursuant to or in connection with this licence;

‘compliance plan’

means a written plan developed by the *Licensee* outlining the procedures, practices and strategies for managing, auditing and reporting on, the *Licensee’s* compliance with the *Act*, the *Regulations*, the *Code* and this licence which must include (amongst other things) details of standards, indicators and targets for measuring the *Licensee’s* compliance performance and must be in accordance with AS3806 compliance program;

‘connection agreement’

means an agreement setting out the terms and conditions applicable to the connection of the *Licensee’s transmission network* to another *transmission network* or a *distribution network*;

‘Corporations Law’

means the *Corporations Act 2001* (Cth);

‘guidelines’

means a written statement of regulatory intent or policy issued by the *Regulator* for information and guidance of electricity supply industry participants;

‘land access plan’

means a document describing how the *Licensee* will deal with the issue of access to land for purposes associated with construction and operation of the *Licensee’s transmission network* and including a system for the handling of complaints and a process for the resolution of disputes in relation to access to land;

‘Licensee’

means Basslink Pty Ltd (ACN 090 996 231);

‘management plan’

means a *compliance plan, asset management plan, vegetation management plan* or *land access plan*;

‘Regulations’

means any regulations made pursuant to the *Act*;

‘Regulator’

means the *Regulator* for the purposes of the *Act*;

‘reporter’

means an appropriately qualified person engaged by the *Licensee* with the approval of the *Regulator* to report to the *Regulator* on compliance with and adequacy of *management plans* in accordance with terms of reference approved by the *Regulator*;

‘standards and procedures’

means performance standards or codes of conduct which are issued by the Licensee under clause 4.1 of Schedule 2 or by the *Regulator* under clause 4.3 of Schedule 2;

‘statutory licence conditions’

means the licence conditions referred to in the *Act* and applicable to this licence;

‘Tasmanian power system’

has the meaning given to that term in the *Code*.

‘vegetation management plan’

means a written plan developed by the *Licensee* outlining the procedures, practices and strategies for managing, auditing and reporting on, control of vegetation near the *Licensee’s transmission network* and the minimisation of fire hazard;

‘writing’

includes any mode of representing or reproducing words, figures, drawings and symbols in a visible form.

2 Interpretation

In this licence, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of this licence;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;
- (d) an expression importing a natural person includes any company, partnership, trust, joint venture, association, corporation or other body corporate and any governmental agency;
- (e) a reference to a condition, clause, schedule or part is to a condition, clause, schedule or part of this licence;
- (f) a reference to terms of an offer or agreement is to all terms, conditions and provisions of the offer or agreement;
- (g) a reference to any statute, regulation, proclamation, order in council, ordinance or by-law includes all statutes, regulations, proclamations, orders in council, ordinances or by-laws varying, consolidating, re-enacting, extending or replacing them and a reference to a statute

includes all regulations, proclamations, orders in council, ordinances, by-laws and determinations issued under that statute;

- (h) a reference to a document or a provision of a document includes an amendment or supplement to, or replacement or novation of, that document or that provision of that document;
- (i) a reference to a person includes that person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and permitted assigns;
- (j) when italicised, other parts of speech and grammatical forms of a word or phrase defined in this licence have a corresponding meaning;
- (k) a period of time:
 - (i) which dates from a given day or the day of an act or event is to be calculated exclusive of that day; or
 - (ii) which commences on a given day or the day of an act or event is to be calculated inclusive of that day; and
- (l) an event which is required under this licence to occur on or by a stipulated day which is not a *business day* may occur on or by the next *business day*.

Schedule 2 – Other Licence Conditions

1 Provision of Information

- 1.1 The *Licensee* must provide to the *Regulator*, in the manner and form advised by the *Regulator*, such information as the *Regulator* may from time to time require and which is, in the opinion of the *Regulator*, relevant to the *Regulator's* functions under the *Act*.
 - 1.2 If the *Licensee* becomes aware of any breach, by the *Licensee*, of the *Act*, the *Regulations*, the *Code*, this licence or any licence referred to in clause 6 of Schedule 2, the *Licensee* must notify the *Regulator* as soon as practicable of the breach and provide such information as the *Regulator* requires in relation to the breach.
-

2 Prudential Reporting

- 2.1 The *Licensee* must report the occurrence of any of the following circumstances to the *Regulator* as soon as possible:
 - (a) the *Licensee* is an externally-administered body corporate as defined in Corporations Law; or
 - (b) the *Licensee* experiences a significant change in its circumstances which may affect the *Licensee's* ability to meet its obligations under the *Act*, the *Regulations*, the *Code* or this licence.
 - 2.2 The *Licensee* must submit to the *Regulator*, not later than 30 November of each year, evidence that the *Licensee* has an acceptable credit rating or financial standing to comply with its obligations under this licence.
-

3 Management Plans and Reports

- 3.1 The *Licensee* must develop and submit to the *Regulator*:
 - (a) a compliance plan;
 - (b) an asset management plan;
 - (c) a vegetation management plan; and
 - (d) a land access plan;on such date as notified by the *Regulator*, subsequently by the first anniversary of that date, and thereafter, as required and advised by the *Regulator*.
- 3.2 The *management plans* are to be made in accordance with and take account of any *guidelines*.
- 3.3 The *Licensee* must undertake community consultation on aspects of *management plans* which may affect the public.
- 3.4 The *Licensee* must consider any comments made by the *Regulator* on the *management plans* and, if required by the *Regulator*, amend provisions of a *management plan* related to reporting to the *Regulator*, including processes for capturing and analysing data that is to be reported.
- 3.5 Each year, by no later than 30 September or such other date nominated by the *Regulator*, the *Licensee* must provide a report to the *Regulator* which includes:
 - (a) details of the *Licensee's* actual performance against the standards, indicators and targets included in the *management plans*;

- (b) if the *Licensee's* actual performance is below the targets included in a *management plan*, the reasons for the failure to meet the targets and strategies for achieving the targets in the future;
 - (c) projections of the *Licensee's* future performance against the standards, indicators and targets included in the *management plans*;
 - (d) a description of the strategies adopted or to be adopted by the *Licensee* to achieve or exceed the performance targets included in the *management plans*; and
 - (e) details of the *Licensee's* adherence to relevant Australian Standards and other standards.
- 3.6 For the avoidance of doubt, the requirement under clause 3.5 of this schedule 2 to prepare a report containing the information listed in paragraphs (a) to (e), does not limit the *Regulator's* powers under clause 1.1 of this schedule 2, the Act or the *regulations* to require the *Licensee* to produce information.
- 3.7 Reports prepared in accordance with clause 3.5 of this schedule 2 are to be submitted to the *Regulator* accompanied by a report prepared by a *reporter*.
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4 Standards and Procedures

- 4.1 At the written request of the *Regulator*, the *Licensee* must participate to the extent specified by the *Regulator* in the development, issue and review of any *standards and procedures* specified by the *Regulator* which are, in the opinion of the *Regulator*, relevant to the functions of the *Regulator*, or to the achievement of the objectives of the *Regulator*, under the Act.
- 4.2 The *Licensee* must, in accordance with directions of the *Regulator*, report to the *Regulator* on its performance against applicable *standards and procedures*.
- 4.3 The *Regulator* may issue *standards and procedures* applicable to the *Licensee* and with which the *Licensee* must comply, notwithstanding that the *Licensee* has failed to comply with clause 4.1.
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5 Connection Agreements

- 5.1 The *Licensee* must not use its *transmission network* for the transmission of electricity at a time when no *connection agreement subsists*.
- 5.2 The *Licensee* must lodge with the *Regulator* a copy of any *connection agreement* made by the *Licensee* in respect of the *Basslink facility*, including any such agreements made in another jurisdiction.
- 5.3 The *Licensee* must lodge with the *Regulator* a copy of any amendment made to a *connection agreement* to which the *Licensee* is a party.
- 5.4 The *Licensee* must advise the *Regulator* as soon as practicable of any breach of, or failure to comply, with the terms and conditions of a *connection agreement* with an electricity entity licensed by the *Regulator*.
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6 Licences from other jurisdictions

- 6.1 The *Licensee* must provide the *Regulator* with a copy of any licence issued to the *Licensee* by another jurisdiction in regard to the operation of the *Basslink facility* and any amendments made to such a licence.
- 6.2 The *Licensee* must notify the *Regulator* of the withdrawal, surrender, cancellation, suspension or breach of a licence issued to the *Licensee* by another jurisdiction.

Schedule 3 – Description of the Transmission Network

For the purposes of this transmission licence, the *Licencee's* transmission network comprises those parts of the Basslink facility to be located within the Tasmanian jurisdiction. This begins three nautical miles from the high water mark at the Tasmanian coast and comprises the bundled 400 kV, DC main conductor cable, metallic return cable and fibre optic cable. The cables will cross the Tasmanian coast near Four Mile Bluff and continue underground to a transition station. From the transition station, a 400 kV, DC overhead transmission line will run approximately 8.9 km to the converter station. Approximately 2.1 km of 220 kV, AC overhead transmission line from the converter station to the George Town substation will complete the Tasmanian land section of the interconnector.

Schedule 4 – Description of the Basslink Facility

Basslink will be connected to the Victorian power system at the Loy Yang 500 kV switchyard. An AC, overhead transmission line will run from Loy Yang to the converter station, which will provide the AC to DC conversion and vice versa. From the converter station, a 400 kV, DC, overhead transmission line, with high-voltage and return conductors and fibre optic earth wire, will run to the transition station near McGaurans Beach. A further section of 400 kV, DC, underground main conductor cable and return cable will complete the Victorian land section to the McGaurans Beach landfall on Ninety Mile Beach.

The main conductor cable, return cable and optic fibre cable will run subsea from McGaurans Beach southeast to a landing point east of Four Mile Bluff on the Tasmanian coast north of George Town.

In Tasmania, 400 kV, DC underground main conductor cable, return cable and optic fibre cable will run from the landfall adjacent to Four Mile Bluff to the transition station. From the station, a 400 kV, DC, overhead transmission line will run to the converter station. A section of 220 kV, AC, overhead transmission line will run from the converter station to George Town substation to complete the Tasmanian land section of the interconnector.

SCHEDULE C

Threatened Species Conditions

Permit to take or destroy Yellow Pimelea (Pimelea Flava) – conditions

The company may take and destroy the threatened species yellow pimelea (*Pimelea flava*) within the area defined by thick yellow lines in attachment A to Appendix 14 of the report of the Joint Advisory Panel entitled “*Final report – proposed interconnector linking the Tasmanian and Victorian electricity grids, June 2002*” (“the Final Report”), to which reference is made in the report in relation to the proposal which was submitted to the Minister by the Resource Planning and Development Commission under section 26(1) of the Act on 8 July 2002, but only on the following conditions:

1. The construction activities undertaken must minimise impacts on the threatened species and must be carried out in consultation with the Threatened Species Unit, Nature Conservation Branch, Department of Primary Industries, Water and Environment.
2. A post construction management plan and rehabilitation plan is to be prepared for the conservation of Yellow Pimelea (*Pimelea Flava*) in accordance with clause 2.5.2 of the conditions in Schedule A to this Order.

SCHEDULE D

Easement condition

The precise location and width of the easement is to be the subject of agreement between Forestry Tasmania and the company.

The easement is to -

- (a) be approximately 55 metres wide; and
- (b) is to be generally in the location indicated in Attachment A to Appendix 15 of the Final Report; and
- (c) is to authorise the company to occupy the area comprised in the easement for the purpose of the construction, installation, operation, maintenance, repair, modification, addition to, replacement and decommissioning of infrastructure arising in connection with the proposal; and
- (d) is to be subject to a requirement that it be surrendered -
 - (i) 3 years from the date of its creation if the purpose for which it was created has not commenced; or
 - (ii) 1 year after the cessation of the purpose for which it was created; or
 - (iii) 70 years from the date of its creation -whichever first occurs.