



New South Wales

Snowy Hydro Corporatisation Amendment (Snowy 2.0) Bill 2018

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Snowy Hydro Corporatisation Act 1997* (the *principal Act*) to enable leases and other interests in land to be granted under the *National Parks and Wildlife Act 1974* to facilitate the Snowy 2.0 project.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Snowy Hydro Corporatisation Act 1997 No 99

Schedule 1 [1] inserts a definition of *Snowy 2.0 project* into the principal Act. The *Snowy 2.0 project* is defined as development described in clause 9 of Schedule 5 to *State Environmental Planning Policy (State and Regional Development) 2011*, as in force on 1 September 2018, (referred to in that clause as the Snowy 2.0 and Transmission Project) that is approved to be carried out under the *Environmental Planning and Assessment Act 1979*.

Schedule 1 [2] inserts proposed section 37A into the principal Act to enable leases, licences, easements or rights of way under Part 12 of the *National Parks and Wildlife Act 1974* (the *NPW Act*) over the Kosciuszko National Park or any other land reserved or dedicated under the NPW Act to be granted for the purposes of, or in connection with, the Snowy 2.0 project (to be called a

Snowy 2.0 lease). The proposed section also provides that the Snowy Hydro Company is entitled to the grant of a Snowy 2.0 lease and contains other provisions regarding the grant of Snowy 2.0 leases.

Schedule 1 [3] provides that the regulations under the principal Act may modify the application of provisions of the NPW Act that specify steps precedent to the making of a plan of management under that Act in connection with the preparation, adoption or amendment of a plan of management in connection with the Snowy 2.0 project. The Minister administering the principal Act (currently the Minister for Energy and Utilities) is to consult with the Minister administering the NPW Act before recommending the making of such a regulation.

Schedule 1 [4] inserts proposed section 39A into the principal Act to provide that a lease, licence, easement or right of way under Part 12 of the NPW Act over the Kosciuszko National Park or any other land reserved or dedicated under the NPW Act may be granted for the purpose of enabling TransGrid (or the holder of a transmission operator's licence under the *Electricity Supply Act 1995*) to operate an electricity transmission system from the electricity generating works associated with the Snowy 2.0 project. The proposed section provides that TransGrid (or the holder of a transmission operator's licence) is entitled to such a grant and contains other provisions regarding such grants.

Schedule 1 [4] also inserts proposed section 39B into the principal Act to enable regulations to be made to provide that, if compensation is payable by the State for the impact on native title rights and interests of the enactment of the proposed Act or certain other conduct under the proposed Act, then the Snowy Hydro Company, TransGrid or the relevant holder of a transmission operator's licence must contribute to, or indemnify the State against, that compensation.

Schedule 1 [5] and [6] insert provisions into the principal Act of a savings and transitional nature and provisions that provide that a Snowy 2.0 lease for land that is part only of an existing lot is not to be taken to be a subdivision of land for the purposes of the *Conveyancing Act 1919* or the *Environmental Planning and Assessment Act 1979*.

Schedule 2 Amendment of National Parks and Wildlife Regulation 2009

Schedule 2 makes a consequential amendment to the *National Parks and Wildlife Regulation 2009*.