

17 February 2025

Biodiversity Coordination Unit
Department for Environment and Water
GPO BOX 1047
Adelaide SA 5001

Email: biodiversityact@sa.gov.au

Re: South Australia's Draft Biodiversity Bill – ElectraNet Submission

We appreciate the opportunity to comment on the draft *Biodiversity Bill 2025* (SA) and continue to support the South Australian Government's efforts to provide greater protection for South Australia's unique biodiversity into the future.

ElectraNet is South Australia's principal electricity transmission network service provider. We own and manage South Australia's transmission network which transports energy from local and distant generation sources to where it is needed to serve electricity customers. We are leaders in the clean energy transition, delivering reliable and sustainable electricity transmission services and valued customer connections. Increasingly our role supports the connection of new large-scale generation and energy storage developments to the network, energising South Australia's clean energy future.

We applaud the Government's approach to avoid duplication of process and simplify aspects of legislation that had been a source of confusion. Ensuring a straightforward and clear process is integral to our ability to maintain and develop the transmission network to deliver safe, reliable and affordable electricity for South Australians. To this end, we offer the following comments on some remaining issues to ensure the intent of the Bill is achieved.

Outstanding Issues

To ensure a fit for purpose approach, the following aspects require further consideration as part of the proposed legislative framework. Addressing these aspects will help facilitate a more streamlined operation of the Act, whilst ensuring ElectraNet can effectively discharge its responsibilities as an *electricity entity* for the purposes of the *Electricity Act (SA) 1996*:

- Relevant exemptions to the requirements of the Act are needed in relation to maintenance for all existing electricity infrastructure where it can be shown that the mitigation hierarchy has been met and due consideration has been given to avoiding and minimising impacts on biodiversity. The Bill includes exemptions for maintenance in Biodiversity Agreement areas, for example, but does not include exemption in critical habitat areas where essential maintenance of existing infrastructure, such as bushfire clearance, must be undertaken.
- A streamlined and timely process is needed under the Act for the assessment of new essential infrastructure where the importance of the infrastructure development is recognised by way of an exemption or exclusion from development approval requirements.

To this end, the Bill should contain specific reference and alignment to Part 8 of the *Planning, Development and Infrastructure Act 2016* and Schedule 4A of the *Planning, Development and Infrastructure (General) Regulations 2017* as they apply to essential infrastructure and relevant provisions of any other legislation such as the proposed *State Development Coordination and Facilitation Bill*.

- Recognition and protection of strategic infrastructure easements and corridors (as identified in PlanSA Regional Plans) within the Bill through required engagement with affected stakeholders when considering listings under Part 6 and in establishing protected areas or critical habitat.
- Reduced administrative process to enable grants of consent and implementation of associated statutory requirements (i.e. registration of easements) for development of essential infrastructure in all types of protected areas where the requirements of the Act and Regulations have been met.
- A simple and cost-effective mechanism to access to up-to-date environmental information, including spatial data, for organisations which rely on this information to conduct day-to-day operations in compliance with the Act.
- Inclusion of entities with a registered interest in land in the definition of "Owner" to enable them to exercise those interests efficiently, and to separate liability under the Act between parties holding registered interests from the registered owners.
- With the development of further legislative requirements and other documents under the Act, appropriate timeframes and opportunities for engagement should be provided to impacted organisations to ensure their day-to-day business activities can continue within the new legislative environment.

ElectraNet looks forward to engaging further with the Department for Environment and Water in the finalisation of the Act, and the development of supporting Regulations, Policies and Guidelines central to the governance, administration and operation of the Act.

We appreciate our engagement with the Department on the Bill to date and look forward to the opportunity to discuss the issues raised in this submission further. Please direct any queries on this submission to [REDACTED] on [REDACTED] or [REDACTED]

Yours sincerely

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