

# Planning and Development (Environmental Significance Opinion – 1564/0 and 1511/0 Tuggeranong – Optus Mobile Phone Tower upgrade) Notice 2013 (No 1)

**Notifiable Instrument NI2013–580**

Made under the

**Planning and Development Act 2007 s 138AD (Requirements in relation to environmental significance opinions)**

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## **1 Name of instrument**

This instrument is the *Planning and Development (Environmental Significance Opinion – 1564/0 and 1511/0 Tuggeranong – Optus Mobile Phone Tower upgrade) Notice 2013 (No 1)*.

## **2 Commencement**

This instrument commences on the day after notification.

## **3 Environmental Significance Opinion**

An Environmental Significance Opinion has been prepared by the Conservator of Flora and Fauna.

The text of the opinion is shown at Annexure A.

A copy of the opinion may be obtained from ACTPLA's website:

[http://www.actpla.act.gov.au/topics/design\\_build/da\\_assessment/environmental\\_assessment/environmental\\_significance\\_opinions](http://www.actpla.act.gov.au/topics/design_build/da_assessment/environmental_assessment/environmental_significance_opinions)

## **4 Completion**

The environmental significance opinion and the notice including the text of the opinion expire 18 months after the day the notice is notified.

Dorte Ekelund

Environment and Sustainable Development Directorate

16 December 2013



**ACT**  
Government

Environment and  
Sustainable Development

Ms Dorte Ekelund  
Chief Planning Executive  
ACT Planning and Land Authority  
Dame Pattie Menzies Building  
DICKSON ACT 2602

Dear Ms Ekelund

This is to advise of my decision, under s.138AB(4) of the *Planning and Development Act 2007*, on your request for an environmental significance opinion for the proposed installation of a 12mm optical fibre from the Monaro Highway to the existing telecommunications tower located on Block 1511 District of Tuggeranong.

Please find attached the Environmental Significance Opinion and a Statement of Reasons for the decision.

Yours sincerely

Alan Traves  
Conservator of Flora and Fauna

12 December 2013



**ACT**  
Government

Environment and  
Sustainable Development

## ENVIRONMENTAL SIGNIFICANCE OPINION

In accordance with section 138AB(4) of the *Planning and Development Act 2007*, I provide the following environmental significance opinion:

### PROPONENT

Geoff Thiel, Regulatory Advisor (Environmental), SingTel Optus, PO Box 888, North Ryde NSW 1670.

### LOCATION

Blocks 1511 and 1564 District of Tuggeranong

### DEVELOPMENT PROPOSAL

The proposal is to install a 12mm optical fibre from the Monaro Highway to the existing telecommunications tower located on Block 1511 District of Tuggeranong to upgrade the capacity of the tower.

The development proposal is mentioned in Schedule 4, part 4.3, item 3, being development on land reserved under s. 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve.

Blocks 1511 and 1564 District of Tuggeranong are within an area reserved as public land nature reserve.

The proponent wants the application for the development approval assessed in the merit track on the grounds that the proposal is not likely to have a significant adverse environmental impact, and has applied to the Conservator of Flora and Fauna for an environmental significance opinion to that effect.

### OPINION

The proposal is not likely to have a significant adverse environmental impact provided works are in accordance with the following conditions:

1. Vehicles and machinery used in construction are to be cleaned prior to arriving on site
2. Any sand or other construction material imported to the site to be free of weeds.

3. Any top soil is to be stripped prior to trenching works and replaced after consolidation of the trench and reseeded with a mix of sterile exotic species, such as Sterile Ryecorn, and grass species native to the ACT, such as wallaby grasses, spear grasses, red leg grass, microlaena or windmill grass (all of these native grasses are currently present along the proposed cable route).dryland grasses;
4. The restoration works to include weed control along the area of disturbance for a minimum of 18 months after completion of the works. Weed control to be undertaken at least 6, 12 and 18 months after completion of restoration works, or as requested, and to the satisfaction of staff of the ACT Parks and Conservation Service (TAMS).
5. If subsequent washout or channelling of work areas occurs, the proponent will make good the damage and rectify the eroded areas to the satisfaction the Parks and Conservation Service.

Attached is a Statement of Reasons for the decision.



Alan Traves  
Conservator of Flora and Fauna

12 December 2013

## STATEMENT OF REASONS REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 4 of the *Planning and Development Act 2007* – Development proposal for an activity requiring an EIS (a) schedule 4,

### item 3

proposal for development on land reserved under s 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve, unless the Conservator of Flora and Fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact.

The proposed works are located within an area of nature reserve located on the eastern side of the Monaro Highway to the north of Tuggeranong Pines.

The proponent wants the application for the development approval assessed in the merit track on the grounds that the proposal is not likely to have a significant adverse environmental impact and has applied to the Conservator of Flora and Fauna for an environmental significance opinion to that effect.

### Meaning of *significant* adverse environmental impact

An adverse environmental impact is *significant* if—

- (a) the environmental function, system, value or entity that might be adversely impacted by a proposed development is significant; or
- (b) the cumulative or incremental effect of a proposed development might contribute to a substantial adverse impact on an environmental function, system, value or entity.

In deciding whether an adverse environmental impact is *significant*, the following matters must be taken into account:

- (a) the kind, size, frequency, intensity, scope and length of time of the impact;
- (b) the sensitivity, resilience and rarity of the environmental function, system, value or entity likely to be affected.

In deciding whether a development proposal is likely to have a significant adverse environmental impact it does not matter whether the adverse environmental impact is likely to occur on the site of the development or elsewhere.



It has been determined that the proposal is unlikely to have a significant environmental impact, based on the documentation submitted and a site assessment by staff from Parks and Conservation Service and Conservation Planning and Research.

### **Project description**

The proposal is to upgrade the capacity of an existing telecommunications tower that is located within a lease held by ACTEW for a water reservoir on Block 1511 District of Tuggeranong. The upgrade will be facilitated by the installation of a 12mm optical fibre from the Monaro Highway to the tower that will be laid to the immediate south of a sealed road linking the tower to the highway.

The installation of the fibre optical cable will require the construction of a trench approximately 400mm wide and 600mm to 1.0m deep, with a total length of 350m. The cable will be housed in 50mm conduit for protection.

### **Documentation Submitted**

Application for an ESO (Form 1M)

Numerous plans including detail survey, site plan, sediment and erosion control.

### ***Natural conservation values present***

The area once supported endangered Yellow Box – Red Gum Grassy Woodland, but now only a few elements of the community remain, and is now dominated by weeds including African Lovegrass, St John's Wort, Paterson's Curse, Wild Oats and Fescue. The site is highly disturbed by the previous construction of the access road with no trees or shrubs present and the trenching will disturb areas that are either bare ground or weed infested/grassy verge.

### ***Impact of development on these values (including offsite impacts)***

The proposed development will not have a significant impact on the flora and fauna within the area as the site has been previously cleared of vegetation and is heavily disturbed. No removal of trees is required and little to no other vegetation requires removal, therefore there will be limited to no impact on local flora and fauna.

The potential for offsite impacts will be negated by the conditions of approval and works will be overseen by Parks and Conservation Rangers. The greatest threats from the installation of the cable is the further spread of weeds and subsidence of the trench. The conditions of approval include measures to negate these impacts.

***Has the proponent demonstrated that all reasonable measures have been taken to avoid, minimise and as a last resort offset impact?***

Yes. All works are to be within existing disturbed areas. No trenching will be left open overnight and to minimise possible gully erosion, regular and small cut off drains will be installed.

**Potentially Significant Environmental Impacts**

Nil.

**Plan of Management**

The area is not included in a plan of management at this stage.