

Australian Capital Territory

Planning and Development (Second Electricity Supply Project – Belconnen and Holt) Scoping Document 2017

Notifiable instrument NI2017–186

made under the

Planning and Development Act 2007, section 212 (Scoping of EIS)

1 Name of instrument

This instrument is the *Planning and Development (Second Electricity Supply Project – Belconnen and Holt) Scoping Document 2017*.

2 Commencement

This instrument commences on the day after notification.

3 Scoping of EIS

Under section 212 of the *Planning and Development Act 2007* (the Act), the planning and land authority has prepared the scoping document in the schedule.

4 Expiry

Under section 213 of the Act, the scoping document and the notice including the text of the scoping document expire 18 months after the day this notice is notified.

Brett Phillips
Delegate of the planning and land authority
13 April 2017

Schedule
(see section 3)



ACT
Government

Environment, Planning and
Sustainable Development

Form

Scoping Document

Under Part 8 of the *Planning and Development Act 2007*

| | | | |
|---|--|---|-------------------------------|
| APPLICATION NUMBER: 201700005 | | DATE OF THIS NOTICE: 7 April 2017 | |
| DATE LODGED: 13 February 2017 | | | |
| PROJECT: Construction of power substation and associated transmission line works | | | |
| SITES: | | | |
| In the division of: BELCONNEN | | | |
| Block | | Land Custodianship | |
| 1462 | | ACT Parks and Conservation Service | |
| 1469 | | ACT Parks and Conservation Service | |
| 1582 | | Elvin Global Pty Ltd | |
| 1586 | | ACT NoWaste, ACT Government Solicitors Office | |
| 1559 | | NSW Electricity Networks Operations Pty Ltd as trustee for the NSW Electricity Operations Trust | |
| 1600 | | Jenny Campbell | |
| 1601 | | Graeme John Trevaskis and Glenis Margaret Trevaskis | |
| 1605 | | Land Development Agency | |
| 1606 | | Land Development Agency | |
| In the division of: HOLT | | | |
| Block | | Section | Land Custodianship |
| 15 | | 99 | Woodhaven Investments Pty Ltd |
| 16 | | 99 | Woodhaven Investments Pty Ltd |
| APPLICANT: NSW Electricity Networks Operations Pty Ltd as trustee for the NSW Electricity Operations Trust | | | |

SCOPING DOCUMENT:

(Note: See [Attachment B](#) for Glossary)

The Authority within the EPSDD received your application under Section 212(1) of the PD Act for Scoping of an EIS for the above proposed development. Pursuant to Section 212(2) of the PD Act the Authority has:

- a) identified the matters that are to be addressed by an EIS in relation to the development proposal; and
- b) prepared a written notice (the **scoping document**) of the matters.

On 5 December 2016, a delegate of the Commonwealth Minister for the Environment and Energy determined the proposed action to be a controlled action under section 75 of the EPBC Act.

At the time of the controlled action decision, it was also determined that the assessment would be undertaken in accordance with Schedule 1 of the bilateral agreement made under section 45 of the EPBC Act relating to environment assessment (2014).

This will enable the EIS to meet the impact assessment requirements under both Commonwealth and ACT Legislation. The project will require approval from the Commonwealth Minister for Environment and Energy under part 9 of the EPBC Act before it can proceed.

Please note that the *Planning and Development (Bilateral Agreement) Amendment Bill 2014* came into effect on 2 April 2015. Further information about the amendments, including how it may relate to your proposal, is available on the Directorate's website at:

http://www.planning.act.gov.au/topics/design_build/da_assessment/environmental_assessment.

NB: The attached scoping document is final. The EIS must conform to the requirements of this scoping document. This document does not indicate approval, or support in any way, nor does it indicate approval in principle.

TERM OF SCOPING DOCUMENT

Pursuant to Section 215 of the PD Act, this Scoping Document is effective for 18 months from the day after the date of this notice.

FORM AND FORMAT OF EIS

The Authority requires that the Proponent prepares an EIS in the following form and format:

- the EIS must be prepared in accordance with section 50 of the *PD Regulation* and Schedule 4 of the *Environment Regulation*
- the EIS document sized A4 with maps and drawings in A4 or A3 format
- the proponent must supply three copies of the draft EIS and revised EIS
- the EIS must be presented for circulation and web posting in an electronic format
- Electronic documents are to achieve AA accessibility standard as defined in the *W3C Web Content Accessibility Guidelines 2.0*
- the Proponent must supply two CD/DVD copies of the draft EIS and three CD/DVD copies of the revised EIS. Additional CD/DVD copies must be produced on request
- digital files must not exceed 10 MB each
- the EIS must be written in plain English and avoid the use of jargon as much as possible
- the EIS is required to be provided in the same structure as described in this Final Scoping Document as closely as possible. A table that cross-references the EIS to the final scoping document must be included if the structure is different
- additional technical detail, including relevant data, technical reports and other sources of the EIS analysis must be provided in appendices
- maps, diagrams and other illustrative material should be included in the EIS to assist readers to interpret information.

COST OF PREPARATION OF EIS

The proponent is responsible for the preparation of the draft and revised EIS and any related applications and associated costs. This includes additional copies of the draft and revised EIS and other associated documents as required by the Authority from time to time.

NEXT STEPS:

Pursuant to the PD Act, you are now required to:

- a) prepare a document (a **draft EIS**) that addresses each matter raised in the scoping document for the proposal
- b) pay the public notification fee once you receive the fee advice from Customer Services, Access Canberra
- c) prepare a document (a **revised EIS**) that addresses each matter raised in the Authority's comments and the representations on the draft EIS
- d) submit the revised EIS to the Authority for assessment.

If you have any queries about the requirements outlined in this scoping document, please contact Annalisa Dietrich or Poppy McRae to arrange a suitable time to discuss.



Delegate

Jonathan Teasdale

Impact Assessment and ACAT Coordination

Environment, Planning and Sustainable Development Directorate

7 April 2017

Contact

Annalisa Dietrich

Assessment Officer

Impact Assessment

Environment, Planning and Sustainable
Development Directorate

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Graduate

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Development Directorate

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GENERAL REQUIREMENTS FOR THE EIS

i. Cover Page

The cover page must clearly display the following:

- the name of the proposal (project title)
- the block identifier and street address for the proposal
- the date of the preparation of the document
- full name and postal address of the designated proponent
- name of the person/organisation who prepared the documents
- address, telephone and email contact details for the person/organisation who prepared the document
- name of person/organisation for which the document was prepared.

ii. Glossary

Provide a glossary of technical terms, acronyms and abbreviations used in the EIS.

iii. Executive Summary

Provide a non-technical summary of the EIS including a description of the proposal, key findings and recommendations.

1 Introduction

Summarise the proposal background and justification for the proposal.

2 Proposal Details

2.0 Project Description

Provide a description of the proposal, including:

- a) the location of the land to which the proposal relates, including detailed maps
- b) if the land is leased – the lessee’s name
- c) if the land is unleased or public land – the custodian of the land
- d) the purposes for which the land may be used
- e) if the land is leased –
 - a. the division name, and block and section number of the land under the *Districts Act 2002*
 - b. the volume and folio of the lease in the register under the *Land Titles Act 1925*.
- f) clearly identify all lands subject to direct disturbance from the proposal and associated infrastructure and geomorphic features such as waterways and wetlands
- g) an outline of any developments that have been, or are being, undertaken by the proponent, or other person(s) or entities, within the proposal area and broadly in the region. Describe how the proposal relates to those in the region affected by the proposal
- h) a description of all the components of the proposal, including the proposal specifications, the predicted timescale for implementation (design, approvals, construction and decommissioning) and project life

-
- i) a description of the precise location of any works to be undertaken, structures to be built or elements of the proposal that may have environmental, social and/or economic relevant impacts
 - j) a description of the construction methodologies for the proposal
 - k) Future stages – provide a description of any future stages for the proposal.

2.1 *Future Expansion*

Provide a description of potential expansion of activities at the site past the proposed facility identified in the application documents.

2.2 *Alternatives to the proposal*

Provide details of any alternatives to the proposal considered in developing the proposal by providing a description of:

- a) reasons for selecting the location and siting of the proposal. Include any detailed analysis of site selection as an attachment to the EIS
- b) any matters considered to avoid or reduce potential impacts prior to the selection of the site
- c) details of the consequences of not proceeding with the proposal
- d) the criteria used for assessing alternatives.

For matters of national environmental significance, any feasible alternatives to the action must include a comparative description of the impacts of each alternative on the triggered matters of national environmental significance.

2.3 *Objectives*

Describe the objectives of and justification for the proposal.

3 Legislative Context

A description of the EIS process including any statutory approvals obtained or required for the proposal.

3.0 *Statutory requirements*

The description must include information on statutory requirements for the preparation of an EIS:

- o *Planning and Development Act 2007*
- o *Planning and Development Regulation 2008*
- o *Environment Protection and Biodiversity Conservation Act 1999*
- o *Environment Protection and Biodiversity Conservation Regulations 2000*
- o Related statutory approvals.

3.1 *Other requirements*

The description must also include information on how each of the following has been considered in the preparation of the EIS:

- o *Territory Plan 2008*
- o *National Capital Plan*
- o *AP2 - ACT Climate Change Strategy*

- Other relevant planning and environmental guidelines and management plans including:
 - Commonwealth Listing Advice, Survey Guidelines and Referral Guidelines. These documents may be found in the Department of Environment and Energy's Species Profile and Threats Database: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>
 - Any relevant recovery plans, threat abatement plans, or conservation advices (see <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>)
 - Molonglo Valley Strategic Assessment Area
 - Molonglo Valley Plan for the Protection of Matters of National Environmental Significance September 2011.

3.1.1 *Ecologically sustainable development*

Provide a description of the proposed action in relation to the long-term and short-term considerations of economic development, social development and environmental protection. The proponent should ensure that the EIS adequately addresses the principles of ecologically sustainable development as defined by section 9 of the PD Act and section 3A of the EPBC Act.

The Commonwealth Minister for the Environment and Energy must take account of the precautionary principle in making a decision on whether or not to approve the proposal as defined in section 391(2) of the EPBC Act. The EIS must include a statement as to how this principle has been considered during the preparation of the EIS.

Provide a description of the proposed action in relation to the ecologically sustainable development principles, including:

- the long-term and short-term economic, environmental, social and equitable considerations;
- the precautionary principle which states that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- the principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;
- the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making; and
- improved valuation, pricing and incentive mechanisms should be promoted.

3.1.2 *Territory Plan strategic directions*

A statement must be provided regarding the proposal's compatibility with the principles in the Statement of Strategic Directions in the *Territory Plan 2008* (Section 2.1 - Strategic Direction).

4 Risk Assessment

4.0 *Risk Assessment Methodology*

Provide a risk assessment in accordance with the Australian and New Zealand Standard for risk management AS/NZS ISO 31000:2009 *Risk Management – Principles and guidelines*. The proposed criteria for determining which risks are potentially significant impacts must be described. This should be based upon the Preliminary Risk Assessment (PRA) submitted with your request for the scoping application.

Should any risk levels change during the preparation of the EIS or any new risks become apparent, these must be assessed and included within the EIS, and where relevant, the residual risk assessment.

| -Risk Assessment- | | | |
|--|------------|-------------|-------------|
| Provide a table with the headings below to describe the risks identified and the original risk rating without any mitigation strategies in place. This table format is one option, however alternative formats can be used provided the methodology is clearly described and in accordance with AS/NZS ISO 31000:2009 <i>Risk Management – Principles and guidelines</i> | | | |
| Risk | Likelihood | Consequence | Risk rating |

5 Assessment of Impacts

Sufficient information is required to provide the Authority with an adequate understanding of the environmental impacts associated with the proposal.

Table 1 identifies the impacts that the Authority has identified as potentially significant that must be assessed for risk in the EIS. The impacts were determined from the information submitted with the PRA, comments received from entities on the request for scoping document application and the Authority's assessment.

Table 1 – Identified impacts and requirements to be addressed in the EIS

| | Environmental Theme | Risk Identified |
|---|-----------------------------|--|
| 1 | Landscape and Visual | <ul style="list-style-type: none"> • Visual impact during construction • Visual impacts of new infrastructure in the landscape(including lighting of the facility) |
| 2 | Terrestrial Flora and Fauna | <ul style="list-style-type: none"> • Disturbance or loss of threatened ecological communities (ACT listed) • Disturbance or loss of threatened ecological communities (Commonwealth listed) • Disturbance or loss of threatened species (ACT listed) • Disturbance or loss of threatened species(Commonwealth listed) • Impact on threatened species habitat (ACT and Commonwealth listed) |
| 3 | Hazard and Risk | <ul style="list-style-type: none"> • Safety risks for workers and the public during construction • Danger to workers during future development / maintenance works • Risk of the substation causing a bushfire or being damaged by fire • Infrastructure failure causing fire or explosion • Health risks for future adjacent residents resulting from EMF associated with high voltage powerlines • Bushfire on neighbouring properties affecting the project |
| 4 | Traffic and Transport | <ul style="list-style-type: none"> • Access to surrounding properties during construction |

| | Environmental Theme | Risk Identified |
|---|--------------------------------|---|
| | | <ul style="list-style-type: none"> Increased traffic movements during construction affecting the surrounding transport network |
| 5 | Noise and Vibration | <ul style="list-style-type: none"> Noise and vibration during construction Noise and vibration during operation of substation |
| 6 | Indigenous Heritage Sites | <ul style="list-style-type: none"> Impact of known indigenous heritage sites / objects Impact of undetected indigenous heritage sites / objects |
| 7 | Water Quality and Hydrology | <ul style="list-style-type: none"> Soil contamination through fuel spills from construction machinery used on site |
| 8 | Soils and Geology | <ul style="list-style-type: none"> Erosion and sedimentation causing pollution as a result of construction works Increased runoff from the site as result of increased non-permeable surfaces |
| 9 | Climate Change and Air Quality | <ul style="list-style-type: none"> Emissions associated with construction plant machinery during construction Dust from construction activities |

5.0 Potentially significant impacts

Provide information, as required by sections 5.2 – 5.7, for each impact (listed above) with a risk level of medium or above as determined before any mitigation measures are applied.

5.1 Environmental conditions and values

Describe the environmental conditions and identify the environmental values for each aspect (air, water and soil quality and presence of existing pollution or contamination, the existing noise and visual conditions). This section should outline the existing environmental conditions (baseline information, prior to the development including effects of current land uses).

5.2 Investigations

Identify the findings and results of any environmental investigation in relation to the land to which the proposal relates.

5.3 Impacts

Describe the effects of the environmental impact as a result of construction and operation for each environmental aspect (including cumulative, consequential and indirect effects) on physical and ecological systems and human communities. Particular emphasis should be placed on the potentially significant impacts identified in the risk assessment.

Include a discussion of the timeframes of impacts i.e. short or long term, their nature and extent and whether they are reversible or irreversible, unknown or unpredictable. Include an analysis of the significance of the relevant impacts.

Information must include any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

5.4 *Avoidance, Mitigation and offsets*

Discuss the proposed safeguards and mitigation measures proposed to be taken for the environmental management of the land to which the proposal relates for the environmental themes identified in Table 1. This is to include:

- a description and an assessment of the proposed impact avoidance, mitigation or offsetting measures to address potential impacts from the proposal
- a description of the expected or predicted effectiveness of the mitigation and management measures.
- any statutory or policy basis for the mitigation measures
- an outline of an environmental management plan that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing
- the name of the agency responsible for endorsing or approving each mitigation measure or monitoring program.

Offsets should directly contribute to the ongoing viability of protected matters impacted by the project and deliver an overall conservation outcome that improves or maintains the viability of protected matters as compared to what is likely to have occurred under the status quo, that is if neither the action nor the offset had taken place.

The offset package must provide compensation for any unavoidable impacts arising from the proposal on listed threatened species and communities. The offset package must include, but not be limited to, measures to address the long-term protection and management of relevant listed threatened species and communities at offset sites in the ACT (or surrounding area) and may also include management measures to improve the ecological values. Further information on the provision of Commonwealth offsets is detailed in the *EPBC Offsets Policy (2012)* available from: <http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy>

Describe the cost effectiveness of environmental mitigation or rehabilitation measures proposed and the expected or predicted effectiveness of those measures.

Note: Any EMP in relation to this project is to be made publically available on the proponent's website if the project is subsequently approved under the EPBC Act.

5.5 *Expected condition*

A description of the expected environmental conditions after the development and any impacts that have occurred, and mitigation measures have been applied. This should include a description of the environmental changes associated with any other planned projects which can be reasonably expected to occur.

5.6 *Residual risk*

Provide a table that details the residual risk for the potentially significant impacts identified. A residual risk assessment is the level of impact after the mitigation measures have been applied. A residual risk assessment is only required where the significance of impact is determined as medium or above. The calculation of the residual risk should take into account the influence of implementation of mitigation measures on the impacts identified by the risk assessment. A discussion of how the calculations were determined should also be included.

| -Residual Risk Assessment- | | | | |
|---|---|---------------------|----------------------|----------------------|
| Provide a table with the headings below to describe the risks identified and the original risk rating without any mitigation. The residual risk assessment will include the consideration of management, mitigation and monitoring strategies applied to each risk identified. The residual risk rating describes the final risk with the mitigation measures in place. | | | | |
| Impact identified in Section 4.0 | Original risk rating from items identified in 4.0 | Residual likelihood | Residual consequence | Residual risk rating |

5.7 General Information

In addition to the risks identified in Table 1, the following information should be provided. This information may be provided in the relevant section of the EIS which addresses the risks associated with each environmental aspect.

5.7.1 Planning and land status

- Include a description of planning context of the area where the project will be located.
- Describe planning and development status of any land or project relevant to the proposal.
- Describe land use of the proposed land and any land to be affected.

5.7.2 Materials and waste

- Describe hazardous materials and dangerous chemicals to be used or stored on site during construction and operation.
- Describe the nature, sources, location and quantities of all materials to be handled, including the storage, stockpiling and disposal of materials and waste.

5.7.3 Landscape and visual

- Undertake a visual assessment of the site and surrounds to describe the current landscape character of the area.
- Identify important view sheds and significant views and vistas to and from the site.
- Conduct a visual impact analysis that details predicted impacts the proposal may have on the landscape character of the site and surrounds.

5.7.4 Soils, water and contamination

- Describe the soil and geology features of the area.
- Describe the present and potential water uses and users within the affected catchment of the proposal. Include a map of the catchment.
- Describe how water will be managed on the site.
- Provide information on the stormwater management both during construction and during operation including any on site detention and water quality protection measures.
- Describe the current groundwater quality and measures proposed to maintain and monitor ground water quality.

5.7.5 Air quality

- Discuss the potential air emissions from the proposed development during construction and operation.

5.7.6 *Traffic and transport*

- Describe arrangements for the transport of construction materials, equipment, products, wastes and personnel during both the construction phase and operational phases of the development proposal.
- Include a description of the volume of traffic generated during construction and operation for the life of the facility.
- Include details of vehicle traffic, transit routes and transport of heavy and oversize loads (including types and composition).

5.7.7 *All other impacts*

- Describe any potential impacts that have not been discussed in the previous sections.

5.7.8 *Matters of National Environmental Significance*

Identify EPBC Act listed threatened species and communities potentially present on or off-site that could be affected, directly or indirectly, by the proposal. The Department of Environment and Energy has identified that the project may or is likely to have a significant impact on the following EPBC Act listed threatened species and communities:

- Regent Honeyeater (*Anthochaera phrygia*) (critically endangered)
- Golden Sun Moth (*Synemon plana*) (critically endangered)
- Hoary Sunray (*Leucochrysum albicans* var. *tricolor*) (endangered)
- Basalt Pepper-cress (*Lepidium hyssopifolium*) (endangered)
- Superb Parrot (*Polytelis swainsonii*) (vulnerable)
- Pink-tailed worm-lizard (*Aprasia parapulchella*) (vulnerable)
- Pale Pomaderris (*Pomaderris pallida*) (vulnerable).

For each matter of national environmental significance, the following information must be provided:

- A description of the relevant impacts of the action including:
 - a detailed discussion of known threats
 - a detailed assessment of direct and indirect impacts on areas of habitat and populations of listed threatened species during pre-construction, construction and operation
 - detailed information on the extent (in hectares) of known and potential habitat for each listed threatened species and community that occurs in the proposed site and surrounds which may potentially be impacted by the proposal
 - a detailed assessment of the nature and extent of the likely short term and long term relevant impacts
 - a statement whether any relevant impacts are likely to be unknown, unpredictable or irreversible.
- Any technical data and other information used or needed to make a detailed assessment of the relevant impacts including:
 - Baseline information on the distribution, ecology, and habitat preferences of the species or community (including a description of vegetation condition).
 - Maps showing the location of known records (including those from databases and all surveys previously conducted for the proposal). Copies of surveys are to be included.
 - Maps showing the potential habitat within and in the vicinity of the proposed site. These maps must highlight important habitat components for each relevant species, including, but not limited to, breeding habitat and water resources.
 - Maps showing the potential habitat within the region and discussion of the regional importance of the population and community.
 - Maps showing the locality of protected matters with an overlay of the proposed

- development map.
- Information on the survey methodology used, including any limitations of the methodology and data collected for each matter of national environmental significance, as well as a justification for the survey methodology and survey sites employed. Survey methodology must be undertaken in a manner consistent with survey guidelines produced by the Australian Department of Environment and Energy where available.
- Information on the scientific reliability of survey investigations and conclusions, including the degree of certainty or statistical confidence where appropriate.

5.7.9 *Specific Risks Identified by the Commonwealth*

The proponent must respond to the following site specific risks that have been identified by the Australian Government:

- Permanent removal of approximately 1.6 hectares of potential foraging and breeding habitat for the EPBC listed critically endangered Regent Honeyeater (*Anthochaera phrygia*) and vulnerable Superb Parrot (*Polytelis swainsonii*).
- Permanent removal of habitat for the EPBC listed critically endangered Golden Sun Moth (*Synemon plana*).
- Permanent removal of approximately 33.9 hectares of suitable habitat for the EPBC listed endangered Basalt Pepper-cress (*Lepidium hyssopifolium*) and Hoary Sunray (*Leucochrysum albicans* var. *tricolor*).
- Permanent removal of approximately 5.7 hectares of habitat for EPBC listed vulnerable Pink-tailed worm-lizard (*Aprasia parapulchella*).
- Permanent removal of approximately 1.5 hectares of habitat for the EPBC listed vulnerable Pale Pomaderris (*Pomaderris pallida*).

6 Community and stakeholder consultation

6.1 The proponent must consult with:

- lease holders and land managers of land potentially impacted by the proposal
- any recreational groups which will be affected by the proposal
- any volunteer conservation, landscape management or land care groups active in the area to be affected by the proposal
- the local community.

6.2 Describe the community consultation undertaken (methodology and criteria for identifying stakeholders and the communication methods used).

6.3 The revised EIS must include the representations received, issues raised in the representations and a response to the issues and values identified. The summary response must clearly identify the representation(s) to which the responses relate.

6.4 Describe how any concerns have been considered in light of the proposal and any future development planned.

7 Recommendations

7.0 Provide a summary of any commitments to impact avoidance, mitigation measures and other actions within the EIS.

7.1 Provide a summary table outlining the residual risk assessment results.

7.2 Describe the monitoring parameters, monitoring points, frequency, data interpretation and reporting proposals.

8 Other relevant information

The proponent may wish to include issues outside of the scope of the EIS, as a separate section of the EIS. This allows the proponent to identify matters not required to be addressed in the EIS, but that would be subject to development assessment and notification. This can provide additional context for members of the public regarding management of environmental issues, by ensuring that the public is aware that these issues will be addressed in the detailed design of the proposal.

9 References

A reference list using standard referencing systems must be included.

10 Required Appendices

10.1 *Final scoping document for the EIS*

A copy of the final scoping document should be included in the EIS. Where it is intended to bind appendices in a separate volume from the main body of the EIS, the final scoping document should be bound with the main body of the EIS for ease of cross-referencing.

10.2 *Scoping Document Reference*

Include a table that cross-references the EIS to the scoping document.

10.3 *Schedule 4 of the EPBC Regulation*

Include a table that cross-references all Commonwealth protected matters included in Schedule 4 of the *Environment Protection and Biodiversity Conservation Regulations 2000* to the EIS.

10.4 *Proponent's Environmental History*

Provide details of any proceedings under a Commonwealth or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- the person proposing to take the action
- for an action for which a person has applied for a permit, the person making the application.

If the person proposing to take the action is a corporation, then provide details of the corporation's environmental policy and planning framework. Enough information is required to satisfy s136(4) of the EPBC Act.

Consideration should be given to the *EPBC Act Policy Statement – Consideration of a person's environmental history when making decisions under the EPBC Act* available on the Department of the Environment and Energy's website at: www.environment.gov.au/resource/epbc-act-policy-statement-consideration-persons-environmental-history-when-making-decisions.

10.5 Information Sources

For information given the following must be stated:

- the source of the information; and
- how recent the information is; and
- how the reliability of the information was tested; and
- what uncertainties (if any) are in the information.

10.6 Study team

The qualifications and experience of the study team and specialist sub-consultants and expert reviewers must be provided.

10.7 Specialist studies

All reports generated based on specialist studies undertaken as part of the EIS are to be included as appendices.

10.8 Research

Any proposals for researching alternative environmental management strategies or for obtaining any further necessary information should be outlined in an appendix.

Attachment A

2014 BILATERAL AGREEMENT – COMMONWEALTH GOVERNMENT REQUIREMENTS

A1. Specific Risks:

The Department of Environment and Energy has identified the following key risks are associated with the proposal:

- Permanent removal of approximately 1.6 hectares of potential foraging and breeding habitat for the EPBC listed critically endangered Regent Honeyeater (*Anthochaera phrygia*) and vulnerable Superb Parrot (*Polytelis swainsonii*).
- Permanent removal of potential habitat for the EPBC listed critically endangered Golden Sun Moth (*Synemon plana*).
- Permanent removal of approximately 33.9 hectares of suitable habitat for the EPBC listed endangered Basalt Pepper-cress (*Lepidium hyssopifolium*) and Hoary Sunray (*Leucochrysum albicans* var. *tricolor*).
- Permanent removal of approximately 5.7 hectares of habitat for EPBC listed vulnerable Pink-tailed worm-lizard (*Aprasia parapulchella*).
- Permanent removal of approximately 1.5 hectares of habitat for the EPBC listed vulnerable Pale Pomaderris (*Pomaderris pallida*).

ENTITY REQUIREMENTS

Where not otherwise identified as a potentially significant impact, provide information in accordance with the requirements of the entities. If the issues raised by entities have been addressed in other sections of the EIS, this must be cross referenced in this section.

A2. Conservator of Flora and Fauna

The Conservator of Flora and Fauna has identified that the following areas require further information and consideration of impacts:

Little Eagle

The Little Eagle is listed as vulnerable in both the ACT and NSW, but not nationally. In the ACT between 1988 and 2011, the number of known Little Eagle breeding territories with active nests declined from 13 to one. During the 2016/2017 breeding season a group of researchers and government officials located four nesting pairs in the ACT and two in nearby NSW. Of these, two nests were located near to the proposed development with both pairs likely to forage over the area of activity. One of the pair has nested for at least the last three years near the Straithnairn Art Complex. A GPS transmitter, providing a fixed location every hour and at midnight (for roosting locations), has been attached to the male bird of the Straithnairn pair for the last 18 months. The data indicates that the Little Eagle is fairly regularly flying over the site of the new substation and new transmission lines. Another nest is on the edge of the Lands Edge Property, within 2km of the proposed new transmission lines. The Straithnairn Little Eagle male has foraged up to 9km from the nest during breeding season.

The EIS needs to consider whether the installation of new wires may pose a particular risk of collision for the Little Eagles who will have been flying unimpeded across the proposed construction area for many years, and if so, can any mitigation measures be implemented to reduce the risk of collision with electricity wires e.g. clipping plastic flags, or plastic balls to the wires to increase visibility.

Superb Parrot

The Superb Parrot (*Polyte/is swainsonii*) is listed as a vulnerable species nationally, and in the NSW and the ACT, while it is considered endangered in Victoria.

Up until 2005 the Superb Parrot was a rare visitor to the Canberra area, but since then it has had a regular and now permanent occurrence. From 2010 - 2016, breeding activity of around 8 -10 pairs has been observed in the Central Molonglo area, less than a kilometre from the proposed work area. Researchers at the Australian National University consider that climate change is likely to result in more Superb Parrots moving to the Canberra area over the next few decades. Birds appear to like to breed near other Superb Parrots, while suitable breed trees may be a limiting factor.

Given the possibility that the area of Superb Parrot breeding within the Molonglo Valley may expand in future years, the EIS should identify any suitable hollow bearing trees that may be impacted by the proposal and seek to minimise such impacts. A recent study by researchers at the Fenner School (Rayner et al) found that Superb Parrots nesting at Throsby in northern ACT chose to breed in trees that had:

- A trunk DBH of at least 75cm;
- Hollows at least 4m above the ground that were in or proximal to the main trunk; and
- Preferred near round entrance hollows about 11cm across and within the range of 8 -18 cm.

A map showing the location of any tree with the development footprint that has the above hollow characteristics should be included in the EIS.

There may be a conflict between retaining such trees and minimising the impact on Pink-tailed Worm-lizard (PTWL) habitat at the proposed substation site. If this is the case the aim should be to retain at least some of the trees, while not exceeding greatly the area of PTWL impact.

Pink Tailed Worm Lizard

Recent work by the ACT Government in the Lower Molonglo has shown promise in the ability to restore PTWL habitat. This includes the stockpiling of suitable rock uncovered during construction within a development area, and then the laying out of the rock in rock poor areas of suitable native grassland vegetation and slope orientation. The application of such restoration techniques to this proposal should be considered within the EIS. Note this will not eliminate the need to offset the loss of any habitat, but could be a small component of an offset package *Endangered Vegetation*.

It is a little unclear in the current documentation where disturbance of native vegetation will occur through construction of new power poles or clearance under new powerlines. This should be clearly delineated in the EIS.

It is possible that either Natural Temperate Grassland (NTG) or a Box Gum Woodland understorey remains under the area mapped in the existing documents as Native Plantings. Given that the former extent of NTG is modelled to have occurred along what is now the eastern edge of the existing substation, much of the native plantings have probably occurred across the ecotone area between grassland and woodland. It is therefore possible that both communities occur within the one area. The condition of the understorey within the area of Native Plantings should be assessed as part of the EIS and it should be determined whether any of it meets the criteria of either or both of the endangered communities.

Rosenberg's Monitor

It is possible that a sparse population of Rosenberg's Monitor, a goanna listed as threatened in NSW and which is rare in the ACT, may occur along the Murrumbidgee River Valley. Several sightings with wildlife cameras have recently been observed at Ginninderra Falls about 6km to the north. This goanna is susceptible to becoming roadkill, as it may bask of bitumen roads and is not apt at moving out of the way of on-coming traffic. Whether or not the construction and maintenance of the facility will greatly increase road traffic along Stockdill Drive and the potential consequences of this to the lizard should be discussed in the EIS.

A3. Icon Water

Existing land uses by utilities are only generally specified in the scoping document (Section 5.13) with a commitment to "relocation / adjustment / protection of these services" during consideration/consultation during an EIS.

A broadly relevant risk has been identified in Table 7.4. The proposed new ActewAGL/Transgrid easement has not been overlaid with other utility services in the provided documentation.

Icon Water has requested to be identified as a stakeholder in section 6 of the proposed activity documentation given:

- the broad potential for interaction with current/future water, effluent and sewage infrastructure (including anticipated Riverview requirements); and
- the specific interaction with Lower Molonglo Water Quality Control Centre (LMWQCC), where the majority of Canberra's sewage is treated, including:
 - potentially significant interactions with the two incoming trunk sewers for conveying Canberra's sewage (shown as red lines on attached map);
 - the outgoing non-potable water supply line from LMWQCC to the uphill winery, golf club and non-potable filling station (running mostly along the eastern side of Stockdill Drive);

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- other services (electricity supply required to power the plant, possible future natural gas supply line); and
 - ongoing access (personnel/contractors, chemical supply, waste removal, liquid waste recieval facility).

A4. ACT Heritage Council

The Council understands that the project aims to provide a secure electricity supply to the ACT, through the construction of a new 330/132 kV substation near Stockdill Drive, and the construction of a new transmission line to connect this substation with the existing Canberra substation on Parkwood Road. A preliminary project area is identified in the referral, which will be refined through the EIS process, and which includes areas up to 400 metres from proposed substations, and up to 100 metres from proposed transmission easements.

The referral is informed by the “*Desktop Cultural Heritage Assessment. ACT Second Electrical Supply Project. Holt, Belconnen District ACT*” (Navin Officer Heritage Consultants, February 2017); the key findings and recommendations of which are:

- Four Aboriginal places are known within the project area, being one culturally modified tree (RD9), three surface artefact scatters (WB4, RC1 and RD3). One recorded potential archaeological deposit (PAD6), also occurs within the project area, which may contain subsurface Aboriginal objects;
- One historic heritage place is recorded within the project area, being a group of four rock cairns (WB/H4);
- The project area has not been subject to systematic archaeological survey, and has potential to contain additional, currently unrecorded, Aboriginal places and objects;
- A cultural heritage assessment (CHA) should be undertaken as part of the EIS, to identify potential heritage impacts of the project. The CHA should include an archaeological survey and be informed by consultation with Representative Aboriginal Organisations;
- Archaeological excavation should be undertaken for any PAD areas identified within proposed development areas, subject to Excavation Permit approval from the Council; and
- Following further heritage assessment, a ‘Statement of Heritage Effect’ (SHE) application to the Council will be required for the project.

The Council confirms that the ACT Second Electricity Supply Project area contains Aboriginal places and objects which may be damaged by the proposed development, and that a CHA is required as part of the EIS.

In this context, the EIS scoping document should identify the following heritage assessment requirements:

- Prepare a Cultural Heritage Assessment (CHA) of the preliminary project area, in accordance with Council’s 2015 ‘*Cultural Heritage Reporting Policy*’ and the ‘*Burra Charter*’ and related Practice Notes (Australia ICOMOS 2013);
- Prepare the CHA in collaboration with Representative Aboriginal Organisations (RAOs), to ensure cultural significance values of place are considered in the significance assessment,

impact assessment and heritage management framework. Consultation should be planned to reflect the principles outlined in *'Ask First: A guide to respecting Indigenous heritage places and values'* (Australian Heritage Commission 2001);

- Where the CHA identifies that archaeological excavation is required to adequately assess the heritage significance of Aboriginal places or objects within the project area, the following should also be undertaken:
 - A 'Research Design and Methodology' should be prepared in consultation with RAOs, and set out the aims, methods and intended outcomes of proposed excavation;
 - An application to excavation should be made under Section 61E of the *Heritage Act 2004*, informed by the Research Design and Methodology;
 - Following approval of the permit to excavate under Section 61F of the *Heritage Act 2004*, archaeological excavation should be undertaken in compliance with that approval; and
- Should the CHA and any archaeological excavation identify that Aboriginal places and objects will be impacted by proposed works, opportunities for heritage conservation outcomes should be considered. Where impacts cannot be avoided through design amendments, impact mitigation strategies should also be identified.

The Council also provides the following comments on the desktop heritage assessment, to inform the project CHA:

- An Aboriginal place recorded as 'CR3a' also occurs within the ACT Second Electricity Supply Project area, and this site should be considered as part of the CHA;
- The rock cairn site identified as 'WB/H4' is recorded as 'WB/H5' on the ACT Heritage database;
- ACT Heritage records on WB/H5 indicate that it is removed from the ACT Second Electricity Supply Project area, and should this be confirmed by a heritage inspection, no further assessment of this heritage site will be required;
- Recent heritage investigation and management actions for the West Belconnen 'Ginninderry' development is of relevance to ACT Second Electricity Supply Project, and information on these actions and the current heritage status of Aboriginal places should be sought from the Council at the outset of the CHA process; and
- The desktop assessment recommends that, if the project is found to not impact heritage places, then a SHE application is to be made. The Council notes that SHE applications are only required when seeking *Heritage Act 2004* approval to damage an Aboriginal place or object, or to diminish the heritage significance of a place or object; and should the project not impact heritage places, a SHE application is not required.

A5. Health

The HPS requests that the EIS for the project consider the following:

- Any influence upon existing air quality including dust generation and dust movement while the site is under construction
- Recommendations set out by the Australian Radiation Protection and Nuclear Safety Agency in relation to minimum distances between sources of extremely low frequency Electric and magnetic fields, and current and future dwellings.

A6. Strategic Planning

Strategic Planning has provided the following comments:

- It appears that the scoping request has not specifically identified or referenced the future residents within the Woodheaven Green residential estate. These residents will be located immediately adjacent to the existing easement that contains the existing ActewAGL and the proposed Transgrid transmissions lines.
- The future residents, who have presumably already purchased properties, are located within Sections 119, 120, 122 and 128 Holt.
- Specifically, sections 5.1, 5.3.1, 5.7 and 5.11 of the EIS will need to ensure that these residents have been considered and impacts assessed.
- Section 5.7 also needs to be considered cumulative effects of having two transmissions lines in close proximity within the existing easement.
- Section 5.11 will need to ensure that the impact on property values have also been assessed in the social and economic assessment. These properties would have recently been purchased and are possibly under construction.
- The associated level of risk with each of the above matters appears to have been identified appropriately with the potential exception of EMF. The study needs to be undertaken to confirm the risk.

For noting by the proponent only

A6. Transport Canberra and City Services

No advice received.

A7. ActewAGL Electrical

ActewAGL made no comment on this proposal.

A8. Jemena

No advice received.

A9. ACT Emergency Services Agency

No advice received.

A10. Belconnen Community Council

No advice received.

A11. Land Development Agency

No advice received.

A12. Riverview Group

No advice received.

A13. Sustainability and Climate Change

No advice received.

Attachment B

GLOSSARY

Authority: Means the ACT Planning and Land Authority.

Biodiversity: As defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Biodiversity corridor: A river corridor or wildlife corridor identified in the *Territory Plan 2008* or in a nature conservation strategy, or action plan, under Schedule 4 Section 4.1, definitions of the *Nature Conservation Act 2014*.

Clearing of native vegetation: The actions that are undertaken to native vegetation and listed under section 74 (1) of the *Nature Conservation Act 1980*,

Clinical Waste: waste as defined in the *Clinical Waste Act 1990*

Commonwealth Minister: The Commonwealth Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.

Commonwealth Department: The Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

Controlled Action (EPBC): as defined under section 67 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Critical habitat: As defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*

Ecological community: A group of ecologically related species defined under the NC Act, or as defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Ecosystem: A dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit, or as defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*

Endangered: As defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*, or an ecological community or a species defined under the NC Act.

Environment: As defined in section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*. Under the *Planning and Development Act 2007* (the PD Act), each of the following is part of the environment:

- (a) the soil, atmosphere, water and other parts of the earth;
- (b) organic and inorganic matter;
- (c) living organisms;
- (d) structures, and areas, that are manufactured or modified;
- (e) ecosystems and parts of ecosystems, including people and communities;
- (f) qualities and characteristics of areas that contribute to their biological diversity, ecological integrity, scientific value, heritage value and amenity;
- (g) interactions and interdependencies within and between the things mentioned in paragraphs (a) to (f);
- (h) social, aesthetic, cultural and economic characteristics that affect, or are affected by, the things mentioned in paragraphs (a) to (f).

EIS: means Environmental Impact Statement.

EPBC Act: means *Environment Protection and Biodiversity Conservation Act 1999*.

Environment Regulations: *Environment Protection and Biodiversity Conservation Regulations 2000*.

EPSDD: Means the Environment, Planning and Sustainable Development Directorate.

Habitat: An area defined under NC Act, or as defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Impact: An event or circumstance defined under section 527E of the *Environment Protection and Biodiversity Conservation Act 1999*.

Impact Track: An assessment track that applies to a development proposal defined under the Planning and Development Act, section 123.

Long term: Greater than 15 years duration.

Major road: A road defined as such by the *Territory Plan 2008*.

Medium term: Greater than three (3) years to 15 years duration.

Matters of National Environmental Significance (MNES): The following matters listed under Part 2, Division 1 of the *Environment Protection and Biodiversity Conservation Act 1999*:

- listed threatened species and ecological communities;
- migratory species protected under international agreements;
- Ramsar wetlands of international importance;
- the Commonwealth marine environment;
- World Heritage properties;
- National Heritage places;
- nuclear actions; and
- Great Barrier Reef Marine Park.

Native Species: The kinds of native animal and native plant defined under the Nature Conservation Act 1980.

Native vegetation: In relation to an area, means the kinds of vegetation indigenous to the area as listed under section 73 of the Nature Conservation Act 1980.

Protected matter: A species declared under section 34 of the Nature Conservation Act 1970 and a matter protected under section 34 of the *Environment Protection and Biodiversity Conservation Act 1999*. Also known as a matter of national environmental significance.

PD Act: Means the *Planning and Development Act 2007*.

PD Regulation: Means the Planning and Development Regulation 2008.

Protected Trees: A registered tree or a regulated tree defined under section 8 of the *Tree Protection Act 2005*.

Rare: A species or ecological communities defined under the *Nature Conservation (Criteria and Guidelines for Declaring Threatened Species and Communities) Determination 2008*.

Reserved area: An area of public land reserved under the *Territory Plan 2008* as a wilderness area, national park or nature reserve.

Regulated waste: waste defined under the *Environment Protection Act 1997*

Scoping: The process of identifying the matters that are to be addressed by an EIS in relation to the development proposal - see the PD Act, Section 212 (2).

Short term: Zero to three (3) years duration.

Socio-economic: Involving both social and economic factors.

Threatening process: A process declared to be a threatening process under the Nature Conservation Act 1980 or as defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Threatened Species: A species is vulnerable or endangered, or an ecological community is endangered or a process is threatening under the Nature Conservation Act 1980 or matter protected under the *Environment Protection and Biodiversity Conservation Act 1999*.

Vulnerable: A species defined under the NC Act or as defined in Section 528 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Wilderness area: An area of public land reserved under the *Territory Plan 2008* as a wilderness area.