

Planning and Development (Conditional Environmental Significance Opinion – Replacement of Overhead Wires between Gilmore Zone Substation and East Lake Area) Notice 2017*

Notifiable Instrument NI2017–238

Made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Replacement of Overhead Wires between Gilmore Zone Substation and East Lake Area) Notice 2017*.

2 Conditional Environmental Significance Opinion

(1) On 5 May 2017, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to the replacement of the existing overhead earth wires with a new hybrid aerial cable, between the Gilmore Zone Substation and East Lake area.

(2) In this section:

Conditional environmental significance opinion means the opinion in the schedule.

Note 1: Under section 138AD(6) of the Act, the conditional environmental significance opinion and this notice expire 18 months after the day this notice is notified.

Ben Ponton
Chief Planning Executive
12 May 2017

*Name amended under Legislation Act, s 60

ENVIRONMENTAL SIGNIFICANCE OPINION

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

APPLICANT

ActewAGL Distribution, as represented by Trevor Fitzpatrick, Associate Director Purdon Planning Pty Ltd.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 138AA of the Act to the Conservator of Flora and Fauna for an environmental significance opinion to the effect that the development proposal set out in the submission is not likely to have a significant adverse environmental impact (the application).

The development proposal is for the replacement of the existing overhead earth wires associated with the ActewAGL 132KV network with a new hybrid aerial cable known as optical ground wire in the section between the Gilmore Zone Substation and the East Lake area, more precisely to Pole 81 approximately 1km from the East Lake Zone Substation, as described in the submission.

LOCATION

Numerous blocks within the Tuggeranong and Canberra Central Districts (as detailed within the application). The lines also traverse Wanniasa Hills Special Purpose Reserve (horse paddocks), Isaacs Ridge Nature Reserve and Callum Brae Nature Reserve.

MATTERS TO WHICH THIS OPINION APPLIES

This opinion applies only the development proposal as described in the application.

OPINION

Provided the works are undertaken in the manner consistent with the following conditions, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under s138AB(4) of the Act.

That all works are undertaken in accordance with a Construction Environment Management Plan (CEMP) endorsed by the Parks and Conservation Service that addresses:

- Weed management, including
 1. All machinery and vehicles engaged in the stringing operation at Pole 30 (Isaacs Ridge nature reserve) will be cleaned of soil and plant material prior to entering the reserve;
 2. Vehicle hygiene will be implemented by those attaching rollers to the poles. Vehicles will be cleaned and be free of any soil or plant material prior to working on Poles 1 to 4, entering Wanniasa Special Purpose and Wanniasa Reserve (Poles 5 -20), entering Isaacs Nature Reserve (Poles 21 to 31) and prior to entering Callum Brae Reserves and West Jerrabomberra Grasslands(Poles 41 to 53);
- All access is by existing access tracks only;
- That the contractor contacts the Manager of the horse paddocks, Territory Agistment (phone 6226 5767), a minimum of seven days prior to commencement of works in the Wanniasa Horse Paddocks
- The location of the Stringing points around Pole 30 that has been agreed on site by the Parks and Conservation Service.
- Rehabilitation and weed control works at Pole 30 if the area is the subject of soil disturbance, wheel or other rutting as a result of the stringing works.

Attached is a Statement of Reasons for the decision.



Dr Annie Lane
Conservator of Flora and Fauna

5 May 2017

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 Schedule 4, being:

Part 4.3, item 1(a) development that may impact on a species or ecological community that is endangered, a species that is vulnerable; protected; or has special protection status;

The Gilmore to East Lake section of the ActewAGL 132KV transmission network that is subject to these works is approximately 14 km in length with 88 poles/towers that support the 132kV transmission line. The line traverses

- Habitat for Striped Legless Lizard (*Delmar impar*), a species listed as vulnerable under the provisions of the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) and the ACT's *Nature Conservation Act 2014* (NCA);
- Habitat for Perunga Grasshopper (*Perunga ochracea*) listed vulnerable under the NCA;
- and runs adjacent to habitat for the Grassland Earless Dragon (*Tympanocryptis pinguicolla*) a species listed as endangered under the EPBC and endangered under the NCA;
- Yellow Box-Blakely's Red Gum Grassy Woodland, an ecological community listed as critically endangered under the EPBC and endangered under the NCA.

Part 4.3, 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.

Some of the works traverse areas of nature reserve which are within Designated Land and therefore subject to the provisions of the National Capital Plan, not the Territory Plan. As a result, the approval authority for the works within those reserves is the National Capital Authority. However, for a proper assessment of the full environmental impacts, the following documentation includes an assessment of the whole alignment.

The following support structures are within reserves:

- Wanniasa Hills Special Purpose Reserve (poles 5 – 11) – Designated Land,
- Wanniasa Hills Nature Reserve (poles 18 – 20) – Designated Land
- Isaacs Ridge Nature Reserve (poles 21 – 31) – Designated Land, and
- Callum Brae Nature Reserve (poles 42 and 43).

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 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, known values of the site, and provided the works and ongoing management are carried out in accordance with the conditions attached to this ESO.

Project description

The proposal is for the replacement of the existing overhead earth wires associated with the ActewAGL 132KV network with a new hybrid aerial cable known as optical ground wire in the section of the transmission network between the Gilmore Zone Substation (located on Block 15 Section 65 Gilmore) to Block 11 Section 47 Fyshwick, approximately 1km from the Eastlake Zone Substation. The new hybrid cable is to enable ActewAGL to immediately identify the location of any outage and direct repair crews to the correct location.

The cable is to be upgraded for a distance of approximately 14 km between 88 towers/poles. The new cable will be strung using stringing machines located adjacent to the Gilmore Zone Substation, and at poles 30, 54 and 81.

Using light vehicles, crews will access each tower along the alignment using existing formal and informal access tracks, install temporary rollers on each tower and connect the existing overhead earth wire. The new optical ground wire will then be connected to the existing earth wires. As the existing earth wire is pulled out by the stringing machines, the new optical wire will be pulled onto the temporary rollers. Work crews will then access each tower a final time to clip the optical wire in and remove the temporary rollers

Each stringing machine requires a work area of approximately 10m² with four separate stringing machine locations required. In these locations the stringing machine may require two work areas, depending on the angle of the wire, to ensure each pole is not overloaded with tension. The locations of the stringing machines have been determined based on a combination of Occupational Health and Safety, site accessibility, efficiency, and consideration of environmental concerns and can be micro-aligned at each site to reduce impacts on any ecological values.

Works are expected to take 1-2 days for each section between stringing machines and no construction compound is required as the existing sub-station sites will be used for this purpose.

Documentation Submitted

- ActewAGL OPGW Maintenance Works – Multiple Sections Environmental Due Diligence Report (Purdon Planning, September 2016);
- ActewAGL OPGW Maintenance Works – Application for an Environmental Significance Opinion Report – Gilmore zone substation to Eastlake (Purdon Planning, March 2017);
- OPGW Cable Specifications;
- Map of Territory Plan land uses;
- Form 1M.

Natural conservation values present

Poles 1 to 44 are located within open woodland with the majority of the area within Nature Reserves. Poles 1 to 4 are adjacent to an area of Box-Gum Woodland and Poles 12 to 17 and Poles 32 to 44 are within Box-Gum Woodland.

Poles 45 to 53 are located in native pasture i.e. the area has a high cover of native grasses but very low to no forb diversity, with the area between Poles 51 and 54

being habitat for Perunga Grasshopper and Striped Legless Lizard, and adjacent to Grassland Earless Dragon habitat.

Poles 54 to 81 are located on a combination of road reserve, vacant land and urban development.

The report notes that the Gilmore to East Lake section transects previously identified patches of Box-gum Woodland (as shown in ACTmapi 2016 and ACT Government 2004). To reduce the potential for impacts to the critically endangered ecological community Box-gum Woodland, the report recommends that no direct vehicle access be permitted to these poles (see Section 6 of this report and Attachment A).

Pink-tailed Worm Lizard has previously been observed in Farrer Ridge Nature Reserve. Potential habitat for this species was noted during site inspections in both the Wanniasa Hills Nature Reserve and in the areas around poles 33 to 45 (see Attachment A of the Report). Each of these locations has been marked as a 'no-go zone'. As such it is not anticipated that the proposed maintenance works will have any construction or operational impacts on this species.

Impact on the Reserve

There is unlikely to be any long term impacts on the nature reserves as the works are minor in nature and will be undertaken within 1-2 days.

Wanniasa Hill Special Purpose Reserve contains the Rose Cottage Horse Paddocks. The Manager of the Horse Paddocks must be consulted to ensure the works will not impact on the day to day management of the paddocks or interfere with owners' access to their horses.

Potentially Significant Environmental Impacts

It is considered that, provided all works are undertaken in accordance with the environmental commitments in the ESO report and the following conditions, the proposal will not result in a significant environmental impact.

The biggest concern relates to the potential spread of weeds. The ESO commits to a CEMP on weed management. The CEMP is to include

- All machinery and vehicles engaged in the stringing operation at Pole 30 (Isaacs Ridge nature reserve) will be cleaned of soil and plant material prior to entering the reserve;
- Vehicle hygiene will be implemented by those attaching rollers to the poles. Vehicles will be cleaned and be free of any soil or plant material prior to working on Poles 1 to 4, entering Wanniasa Special Purpose and Wanniasa Reserve (Poles 5 -20), entering Isaacs Nature Reserve (Poles 21 to 31) and

prior to entering Callum Brae Reserves and West Jerrabomberra Grasslands(Poles 41 to 53);

- The ESO already commits the works to only using existing access tracks to visit poles – this must be restated in the CEMP.
- That the contractor contacts the Manager of the horse paddocks, Territory Agistment (phone 6226 5767), a minimum of seven days prior to commencement of works in the Wanniasa Horse Paddocks
- The location of the Stringing points around Pole 30 is to be agreed on site in consultation with and by the Parks and Conservation Service. If soil disturbance, or wheel or other rutting occurs as a result of the stringing works around Pole 30 then re-instatement, rehabilitation and weed control works will occur in these areas to the satisfaction of the Parks and Conservation Service.

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO, they are unlikely to cause a significant adverse environmental impact.