

# Planning and Development (William Hovell Drive Duplication – Molonglo Valley/Belconnen) Scoping Document 2020

Notifiable instrument NI2020–685

made under the

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

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## **1 Name of instrument**

This instrument is the *Planning and Development (William Hovell Drive Duplication – Molonglo Valley/Belconnen) Scoping Document 2020*.

## **2 Commencement**

This instrument commences on the day after its notification day.

## **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.

Brett Phillips  
Delegate of the planning and land authority  
22 October 2020



**ACT**  
Government

Environment, Planning and  
Sustainable Development

## Scoping Document

Under Division 8.2.2 of the *Planning and Development Act 2007*

<b>APPLICATION NUMBER:</b> EIS202000014	<b>DATE OF THIS NOTICE:</b> 19 October 2020
<b>DATE LODGED:</b> 4 September 2020	
<b>PROJECT:</b> Duplication of William Hovell Drive, between John Gorton Drive and Drake Brockman Drive in the districts of Molonglo Valley and Belconnen	
<b>IMPACT TRACK TRIGGER:</b> Planning and Development Act, Schedule 4; Part 4.3, items 1 and 2	
<b>LOCATION:</b> William Hovell Drive road reserve, between John Gorton Drive and Drake Brockman Drive	
<b>PROPONENT:</b> Transport Canberra and City Services, Infrastructure Delivery	
<b>APPLICANT:</b> SMEC	
<b>LAND CUSTODIAN:</b> Roads ACT, Transport Canberra and City Services. City Presentation, Transport Canberra and City Services	

### SCOPING DOCUMENT

The planning and land authority (the Authority) within the Environment, Planning and Sustainable Development Directorate received your application under section 212(1) of the *Planning and Development Act 2007* (the PD Act) for Scoping of an Environmental Impact Statement (EIS) for the above proposed development. Pursuant to section 212(2) of the PD Act, the Authority has:

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

**NB:** 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 213(2) of the PD Act, the proponent must give the draft EIS to the Authority by the end of the period of 18 months starting on the day the Authority gives the scoping document for the development proposal to the applicant.

### FORM AND FORMAT OF EIS

The Authority requires that the proponent engage a suitably qualified independent consultant to prepare an EIS, OR the proponent submits, with the draft EIS, an independent review of the draft EIS undertaken by a suitably qualified consultant. The EIS must be in the following form and format:

- The EIS must be prepared in accordance with section 50 of the *Planning and Development Regulation 2008*.
- The EIS must be written in plain English and avoid the use of jargon as much as possible.

GPO BOX 1908, Canberra ACT 2601

[www.planning.act.gov.au](http://www.planning.act.gov.au)

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**ACT**  
Government

**Environment, Planning and  
Sustainable Development**

## Scoping Document

Under Division 8.2.2 of the *Planning and Development Act 2007*

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- The EIS is required to be provided in the same structure as described in this Scoping Document as closely as possible. A table that cross-references the EIS to the scoping document must be included in the EIS submission.
- The report must reference any figures or supporting information used to the supporting appendix and page number, table or figure.
- 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.
- The EIS document sized A4 with maps and drawings in A4 or A3 format.
- The proponent must supply a copy of all draft EIS and revised EIS documents in electronic formats for circulation and web posting. These are to be supplied by email, USB, or another agreed method.
- Digital files must not exceed 20 MB each.
- The proponent must supply three hard copies of the draft EIS once it has been accepted for lodgement and three hard copies of the revised EIS once it had been accepted for lodgement.

### **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**

The proponent is now required to prepare a document (a **draft EIS**) that addresses each matter raised in the scoping document for the proposal within the timeframe provided in this scoping document. Once the draft EIS has been accepted for lodgement, a public notification fee is payable in order for notification, referrals and assessment to commence. After the notification period has closed, the Authority will provide comments and any public representations received for the proponent to address in preparing a **revised EIS**, and any further instructions on the application.

If you have any queries about the requirements outlined in this scoping document, please contact Benjamin Huttner-Koros to arrange a suitable time to discuss.

**Delegate of the planning and land authority**

Brett Phillips  
Executive Group Manager  
Planning Delivery Division  
Environment, Planning and  
Sustainable Development Directorate (EPSDD)

**Contact**

Benjamin Huttner-Koros  
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## **GENERAL REQUIREMENTS FOR THE EIS**

### **1. Cover Page**

The cover page must clearly display the following:

- The name of the proposal (project title)
- The block identifier(s) and street address for the proposal
- The date of the preparation of the document
- Full name and postal address of the designated proponent
- Full name and postal address of the designated applicant
- Name and contact details of the person/organisation who prepared the documents (if different to the above)

### **2. Glossary**

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

### **3. Executive Summary**

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

### **4. Introduction**

Summarise the background of the proposal.

### **5. Proposal Details**

#### **5.1. Project Description**

Provide a description of the proposal, including:

- a) The objectives for the proposal;
- b) The location of the land to which the proposal relates, including detailed maps;
- c) The division and/or district names and block and/or section numbers of the land under the *Districts Act 2002*;
- d) If the land is leased – the lessee's name;
- e) If the land is unleased or public land – the custodian of the land;
- f) The purposes for which the land may be used;
- g) A clear identification of all lands subject to direct disturbance from the proposal and associated infrastructure and geomorphic features such as waterways and wetlands. This is to be supported by a map showing all affected lands;
- h) An outline of any developments that have been, or are being, undertaken by the proponent, or other person(s) or entities on the land subject to this proposal;
- i) 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;

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- j) A plan/description of the precise location of any works to be undertaken, structures to be built or elements of the proposal that may have relevant impacts; and
  - k) A description of the construction methodologies for the proposal.

## **5.2. Alternatives to the proposal**

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

- a) Any alternatives to the proposal and provide reasons for selecting the preferred option (including any criteria used) with an 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 preferred option; and
- c) Details of the consequences of not proceeding with the proposal.

## **6. Legislative and Strategic Context**

A description of the EIS process including any statutory approvals obtained or required for the proposal, and how the proposal is aligned with strategic priorities for the ACT.

### **6.1. Statutory requirements**

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

- *Planning and Development Act 2007*
- *Planning and Development Regulation 2008*
- Related statutory approvals.

### **6.2. Climate change**

The EIS must include information on how the proposal will reduce the risks from climate change impacts and include proposed adaptation measures to reduce vulnerability and increase resilience of the community and the Territory, particularly the extreme events of heatwaves, droughts, storms with flash flooding and bushfires. The information must address impacts on the local microclimate and how it will avoid contribution to urban heat and positively contribute to urban cooling measures.

Additionally, the EIS must address the contribution the proposal will make to reducing greenhouse gas emissions and meeting the legislated target for a net zero emissions Territory (by 2045 at the latest).

Preparation of the EIS must consider the relevant sections of the following ACT Government policies:

- ACT Climate Change Strategy 2019-2025
- Canberra's Living Infrastructure Plan: Cooling the City

### **6.3. Other requirements**

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

- Territory Plan 2008
- ACT Planning Strategy
- National Capital Plan
- Relevant Environment Protection Policies and Environment Protection Guidelines

([https://www.environment.act.gov.au/about/legislation\\_and\\_policies](https://www.environment.act.gov.au/about/legislation_and_policies))

- Transport for Canberra policy
- Other relevant planning and environmental guidelines and management plans.

### 6.3.1. Ecologically sustainable development (ESD)

Provide a description of how the proposed development demonstrates ESD. This is to include long-term and short-term considerations related to economic development, social development and environmental protection at local, regional and national scales. The proponent should ensure that the EIS adequately addresses the ESD principles as defined by section 9 of the PD Act.

### 6.3.2. Territory Plan strategic directions

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

## 7. Risk Assessment

### 7.1. 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.

The Preliminary Risk Assessment (PRA) submitted as part of the request for a scoping document must be revised to include, but not be limited to, the risks identified by the Authority in Table 1. The risks identified in Table 1 are based on the scoping document application and comments received from entities on the application. All of these risks are considered potentially significant (i.e. a medium risk level or above), and must be addressed in the EIS. Should any risk levels change during the preparation of the EIS or any new risks become apparent, these must be assessed and included with a justification in the EIS, and where relevant, the residual risk assessment.

-Assessment guide-			
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

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

Environmental Theme	Risk identified	See section/s below for further detail
Traffic and transport	<ul style="list-style-type: none"> <li>• Traffic disruption during construction</li> <li>• Increased traffic volume during operation, causing further delays and impacting on road safety</li> <li>• Impact of duplicated road on road safety and operation</li> <li>• The proposed signalised intersection impacts</li> </ul>	8.2.1

Environmental Theme	Risk identified	See section/s below for further detail
	road safety and operation	
Flora and fauna	<ul style="list-style-type: none"> <li>• Direct impacts on threatened flora and fauna, threatened ecological communities and non-threatened flora and fauna from clearing and other construction works</li> <li>• Increased habitat fragmentation impacting species movement</li> <li>• Loss of fauna from vehicle strikes and roadkill</li> <li>• Impacts to adjoining nature reserves during construction and operation</li> </ul>	8.2.2
Utilities and Infrastructure	<ul style="list-style-type: none"> <li>• Impacts on existing infrastructure during construction and operation</li> <li>• Disruption to vital services due to service outages during construction</li> </ul>	8.2.3
Heritage items and places	<ul style="list-style-type: none"> <li>• Impacts to known heritage items and places</li> <li>• Impacts to unknown or undiscovered heritage items and places</li> </ul>	8.2.4
Noise, vibration and lighting	<ul style="list-style-type: none"> <li>• Noise and vibration impacts to sensitive receivers during operation</li> <li>• Light impact to sensitive receivers during construction and operation</li> </ul>	8.2.5
Soils and geology	<ul style="list-style-type: none"> <li>• Disturbance to or movement of contaminated soil during construction</li> <li>• Contamination of soil during construction and operation</li> </ul>	8.2.6
Water and hydrology	<ul style="list-style-type: none"> <li>• Reduction in water quality in waterways due to runoff and sedimentation during construction and operation</li> <li>• Change to water flow regimes in waterways due to construction and operation</li> </ul>	8.2.7
Hazards and risks	<ul style="list-style-type: none"> <li>• Bushfire started during construction and operation impacting assets and people off site</li> <li>• Bushfire started offsite impacting the proposal and people on site</li> <li>• Rain event causing flooding, erosion or damage to road infrastructure</li> </ul>	8.2.8
Landscape and visual	<ul style="list-style-type: none"> <li>• Visual impacts to sensitive receivers during operation</li> </ul>	8.2.9
Materials and waste	<ul style="list-style-type: none"> <li>• Increase in waste to landfill during construction</li> </ul>	8.2.10
Climate change	<ul style="list-style-type: none"> <li>• Greenhouse gas emissions from construction and operation contributing to climate change</li> <li>• Increased impervious surfaces, adding to the urban heat island effect</li> </ul>	8.2.11

Environmental Theme	Risk identified	See section/s below for further detail
Socio-economic and health	<ul style="list-style-type: none"><li>Impact on recreational users of reserves and open space adjacent to the current road alignment</li><li>Work, health and safety risk to workers during construction</li></ul>	8.2.12
Matters of national environmental significance	<ul style="list-style-type: none"><li>Construction and operation impacts on EPBC Act listed threatened species and communities and any other matters of national environmental significance</li><li>Proposal fails to comply with Commonwealth recovery plans or threat abatement plans</li></ul>	8.2.13

## 8. Assessment of Impacts

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

Each risk identified in Table 1 and in the proponent's PRA must be addressed, and structured, as set out in sections 8.1.1-8.1.5 below.

### 8.1. Standard requirements

#### *8.1.1.Environmental conditions and values*

Describe the environmental conditions and identify the environmental values for the environmental themes identified in Table 1. This section should discuss the baseline conditions for the area.

#### *8.1.2.Investigations*

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

#### *8.1.3.Impacts*

Describe the effects of the environmental impact as a result of construction and operation for the environmental themes identified in Table 1 and in the proponent's risk assessment (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 and this scoping document. 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.

#### *8.1.4.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 and the proponent's risk assessment. This is to include:



- a) A description and an assessment of the proposed impact prevention, mitigation or offsetting measures to deal with the environmental impact of the proposal, along with which stage the mitigation measures will be adopted
- b) Any statutory or policy basis for the mitigation measures
- c) An outline of an environmental management plan (EMP) 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
- d) The frequency, duration and objectives of monitoring proposed
- e) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program
- f) A description of the cost effectiveness of environmental mitigation or rehabilitation measures proposed and the expected or predicted effectiveness of those measures.

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.

An 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 following link

<http://www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy> on the Commonwealth Department of Agriculture, Water and Environment website.

#### *8.1.5. Residual risk*

Provide a table that details the residual risk for the potentially significant impacts identified for the environmental themes in Table 1 and the proponent's risk assessment. 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 or offsetting measures on the impacts identified by the risk assessment. A discussion of how the calculations were determined should also be included, including the expected or predicted effectiveness of the mitigation measures.

-Assessment Guide-				
Provide the residual risk assessment as set out in the table below.				
Risk identified in Section 7.1	Original risk rating from items identified in 7.1	Residual likelihood	Residual consequence	Residual risk rating

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## 8.2. Detailed requirements

The following items (sections 8.2.1 - 8.2.13), relate to the potentially significant environmental impacts identified in Table 1. They must be addressed in detail in the EIS.

Note: The information provided under the following headings is not an exhaustive list of matters that may be required to accurately detail the assessment scenarios.

### *8.2.1. Traffic and transport*

- Provide a Traffic Impact Assessment prepared by a suitably qualified consultant that describes:
  - traffic disruptions and other impacts during construction;
  - the impacts to the current and future urban areas;
  - impacts on road safety and operation, particularly to vulnerable road users;
  - the likely volume of traffic proposed to be accommodated during operation; and
  - how construction vehicle movement and parking will be managed.

### *8.2.2. Flora and Fauna*

- Provide an Ecological Impact Assessment prepared by a suitably qualified consultant.
- Assess the direct impacts on flora and fauna in particular Golden Sun Moth, Pink-tailed Worm Lizard, Superb Parrot, Swift Parrot and any other threatened species and threatened ecological communities including Box Gum Woodland.
- Describe the impact of habitat fragmentation caused by the development, particularly the potential loss of wildlife movement corridors and habitat connections.
- Discuss the impact of night lighting and noise on nocturnal fauna and flora.
- Describe the impacts increased animal strikes and roadkill may have on threatened and non-threatened species, particularly kangaroos and threatened fauna and methods to mitigate these.
- Discuss the potential impacts to the adjacent nature reserves, including impacts from altered hydrology patterns and spread of invasive plants.
- Outline mitigation arrangement and whether an offset is likely to be required and, if so, how they comply with the EPBC Act environmental offsets policy and whether an offset management plan is likely to be required.
- Consider whether ongoing management, monitoring or reporting regimes are required.

### *8.2.3. Utilities and infrastructure*

- Describe the existing utilities located on the land subject to this proposal.
- Describe any new utilities, removal or realignments required as a result of this development.
- Describe the impacts of planned and unplanned service disruptions, including to vital services such as health and emergency services.

### *8.2.4. Heritage*

- Provide a Cultural Heritage Assessment prepared by a suitably qualified consultant that includes details of all known heritage items and places, including but not limited to the Weetangera cemetery, the Kama nature reserve and potential archaeological deposits.
- Describe the impact of construction and operation on known and unknown heritage items and places and measures to mitigate these.

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*8.2.5. Noise, vibration and lighting*

- Provide an updated acoustic impact assessment prepared by a suitably qualified consultant.
- Identify any existing nearby sensitive receivers that could be affected by construction and operation of this proposal.
- Describe the impacts of noise and vibration on sensitive receivers during construction and operation, including current and future residents in Whitlam and Hawker.
- Consider noise source reduction measures attributed to both engine noise and road surface noise.
- Describe the impacts of light on sensitive receivers during construction and operation, including current and future residents in Whitlam and Hawker.

*8.2.6. Soils and Geology*

- Discuss any contamination impacts on site and how these will be managed during construction, particularly in areas where soil is proposed to be reused.
- Describe the impacts of soil erosion and sedimentation, and contaminated water run-off including from oils and other contaminants from vehicles during construction and operation and how these will be managed.

*8.2.7. Water Quality and Hydrology*

- Describe the impacts of construction and operation on water quality in downstream waterways, including the Molonglo River and Deep Creek, including the proposed future Deep Creek Water Quality Control Pond.
- Describe the impact of sediment and road surface run-off entering nearby waterways. Describe the impacts of changes to water flow regimes, including consequences of increased water flow during large rainfall events.

*8.2.8. Hazards and Risks*

- Describe the risk and impacts of a bushfire starting during construction.
- Describe the impact of a bushfire starting off site on assets and workers during construction.
- Describe the impact of a large rainfall event on road infrastructure, the site and the downstream environment.

*8.2.9. Landscape and Visual*

- Undertake a visual assessment and/or provide perspectives of the proposal from local vantage points.
- Describe the visual impact of the development on sensitive receivers during operation, including to current and future residents in Whitlam and Hawker.

*8.2.10. Materials and Waste*

- Describe how construction waste will be managed, including disposal to landfill.

*8.2.11. Climate Change*

- Describe the greenhouse gas emissions produced during construction and operation and the impact of these on climate change.
- Discuss how the proposal is consistent with ACT and national policies.
- Describe the urban heat impacts associated with the removal of a soft landscape and replacement with impervious surfaces.

#### 8.2.12. *Socio-economic and health*

- Describe the impact on recreational users of the surrounding areas, including but not limited to the Bicentennial National Trail and adjacent open spaces and nature reserves.
- Provide details of any potential contaminants that may pose health risks to workers during construction.

#### 8.2.13. *Matters of National Environmental Significance (MNES)*

- Describe the impact on Box Gum Woodland, Superb Parrot, Swift Parrot, Golden Sun Moth and any other MNES potentially impacted by the project.
- For any matters identified as potentially impacted provide 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 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.
- Outline how the proposal is consistent with
  - Australia's obligations under the Convention on Biological Diversity, the Convention on Conservation of Nature in the South Pacific (Apia Convention), or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
  - any relevant recovery plans or threat abatement plans
  - any relevant strategic assessment reports
  - any relevant Commonwealth recovery plans or threat abatement plans.
- If offsets are proposed to compensate for impacts on MNES, describe the proposed offsets and how they comply with the EPBC Act environmental offsets policy.

### 8.3 Entity requirements

The EIS must address the entities comments provided in [Attachment B](#). If the issues raised by entities have been addressed in other sections of the EIS, this must be cross referenced.

## 9. Community and stakeholder consultation

The intention of the consultation in this scoping document is to ensure significant proposals include meaningful engagement with the community in the early stages of the project and provide clear expectations and an understanding of the actual development proposed. Consultation also provides an opportunity for the community to contribute in the design of the proposal and to resolve any major concerns early in the planning stages.

### 9.1. Consultation must be undertaken with:

- Lease holders and land managers of land potentially impacted by the proposal;
- Any recreational groups which may 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, community groups, businesses owners and employees.

**9.2. Consultation methods and documentation requirements:**

- A variety of communication methods must be used to ensure all stakeholders are engaged appropriately, such as face to face, email/letters, community meetings and information sessions, digital/online tools and website notifications.
- A plain English statement explaining the proposal and conceptual drawings must be made available to the community and stakeholders during consultation.
- Consultation must occur as early as possible and avoid, or make allowances for public holidays, school holidays and the summer holiday (Christmas) shutdown period. The level of engagement must be comparable with the size, location and nature of the development and potential impact on the wider community.

**9.3. Provide a consultation report that includes:**

- A description of the methodology and criteria for identifying stakeholders and how they were identified. Details and plans must be provided showing potential impacts on the local and wider community to justify how stakeholders were identified.
- An outline of the communication methods used.
- A copy of the information provided during the community consultation process.
- A summary of the responses and the main comments raised. Evidence must be provided demonstrating that consultation has been undertaken with each relevant group/person.
- A description on how concerns have been considered and addressed. It must be identified where changes have been made to the proposal to account for community comments.

**9.4. Consideration of public representations from Draft EIS notification**

The revised EIS must include a consultation report outlining 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.

**10. Recommendations**

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

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

**11. Other relevant information**

The proponent may wish to include issues outside 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 consideration 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.

**12. References**

A reference list using standard referencing systems must be included.

## **13. Required Appendices**

### **13.1. Scoping document for the EIS**

A copy of the 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 scoping document should be bound with the main body of the EIS for ease of cross-referencing.

### **13.2. Scoping Document Reference**

Include a table that cross-references the EIS to the scoping document. If the EIS addresses the scoping document in multiple places then this must be also referenced.

### **13.3. 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. These details must satisfy s 136(4) of the EPBC Act.

### **13.4. Information Sources**

For information given the following must be stated:

- The author of any reports or studies
- The publication date
- The source of the information
- How recent the information is (i.e. when a study was conducted or when primary sources were produced)
- How the reliability of the information was tested
- What uncertainties (if any) in the information.

### **13.5. Study team**

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

### **13.6. Specialist studies**

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

### **13.7. Research**

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

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## **Attachment A DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT (COMMONWEALTH GOVERNMENT)**

There are likely to be significant impacts on the following controlling provisions:

- listed threatened species and communities (sections 18 and 18A)

All matters of national environmental significance (MNES) protected under the triggered controlling provisions are potentially relevant, however the Department of Agriculture, Water and the Environment considers that there is likely to be a significant impact on the following:

- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland Ecological Community (Box Gum Woodland) – critically endangered

Based on the Department's Environment Reporting Tool and information provided by the Department's Species Profiles and Threats Database (SPRAT) (located at <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>), the Department considers that the following species are possibly at risk of being impacted.

- Superb Parrot (*Polytelis swainsonii*) – vulnerable
- Swift Parrot (*Lathamus discolor*) – critically endangered
- Golden Sun Moth (*Synemon plana*) – critically endangered.

Note that this may not be a complete list and it is the responsibility of the proponent to ensure any protected matters under this controlling provision are assessed for the Commonwealth decision-maker's consideration.

### **Specific risks**

DAWE has identified the following keys risks may be associated with the proposal:

- Removal of up to 13.75 ha Box Gum Woodland.
- Removal of up to 0.06 ha potential habitat for the Golden Sun Moth.
  - The Department understands that due to the timing of the ecological survey effort it is unclear as to whether the habitat within the proposed action area supports a population of the species.
- Removal of potential habitat for the Superb Parrot and Swift Parrot.
  - The referral documentation does not quantify habitat for these species within the proposed action area.

### **Relevant References and Guidelines**

The international conventions, management plans and principles that must be considered in relation to this proposal include:

- Listed threatened species and communities
  - Australia's obligations under the Convention on Biological Diversity, the Convention on Conservation of Nature in the South Pacific (Apia Convention), or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
  - any relevant recovery plans or threat abatement plans
  - any relevant strategic assessment reports

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- any relevant recovery plans or threat abatement plans.

Commonwealth Listing Advice, Survey Guidelines and Referral Guidelines contain information on threatened species and ecological communities which may provide further support to proponents and ACT EPSDD in considering and evaluating the significance of residual impacts on the action's controlling provisions. These documents may be found in the Department of Agriculture, Water and the Environment's Species Profile and Threats Database: <http://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl>.



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## **Attachment B ENTITY REQUIREMENTS**

### **A1. Conservator of Flora and Fauna**

The existing documents associated with this project accurately map the vegetation and give appropriate consideration to Golden Sun Moth and Pink-tailed Worm-lizard habitat. In summary - the key issues that will need to be addressed in the EIS are:

1. The degree of habitat fragmentation caused by the road and measures that will be used to minimise habitat fragmentation;
2. The level or potential rate of increase in animal-vehicle strikes and roadkill caused by increased road width, road speed and/or design features in the road upgrade. Mitigation measures that will be used to minimise animal vehicle strikes and roadkill, particularly of kangaroos and threatened fauna will also need to be included;
3. Potential impacts to the adjoining Pinnacle and Kama Nature Reserves.
4. Offset arrangements for the loss of critically endangered Box Gum woodland – this should involve consideration of a land bridge over William Hovell Drive at a key point of wildlife connection which could reduce the level of current roadkill.

#### Habitat Fragmentation

The EIS will need to:

1. Provide further imagery showing the entire planned alignment over aerial imagery and where it impacts each Matter of National Environmental Significance (MNES) (e.g. Box Gum Woodland, protected species habitat and hollow bearing trees). It would be useful to have a view showing the entire alignment and also broken into sections for a more detailed view.
2. Describe and map the key wildlife connection points cut/dissected by the proposed William Hovell Drive duplication.
3. Describe how wildlife (including insects, reptiles, birds and mammals) may be using these connections
4. Describe the local occurrence and likely movements of threatened species including the Superb Parrot, Varied Sitella, White-winged Triller and Scarlet Robin.
5. Describe measures that will be undertaken to try and reduce fragmentation including:
  - a. Retention of existing trees;
  - b. Minimisation of road width(including cycle lanes, paths, layovers etc) at key areas of connection;
  - c. Consideration of construction of a land bridge at a key point of connection;
  - d. Minimising road barriers such as wire ropes, crash barriers or fencing at areas of key connection points;
  - e. Enhancing the existing vegetation at key connection points; and
  - f. Provision for movement across road by sugar gliders and other possums which could be achieved by careful retention of trees or construction of glider or rope crossing poles.

#### Animal-Vehicle collision and Roadkill reduction

The EIS will need to:

1. Describe the latest research findings of the ACT Government/Sydney University Kangaroo Road Kill Research project, how this research is informing the road design and how this project may contribute to furthering the research;
2. Describe the wildlife likely to be subject to animal collision and road kill;
3. Describe potential road kill impacts on threatened species such as carrion feeders like the Little Eagle (which nests nearby) and other species moving across William Hovell Drive such as the

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Superb Parrot, Varied Sitella, Whitewinged Triller and scarlet Robin;

4. Describe measures that will be undertaken to reduce road kill including:
  - a. At key crossing points lowering the road or keeping high steep cuttings or other measures to encourage flying wildlife to cross road at a height that is above the level of traffic;
  - b. Retention of any existing underpasses and how these will be enhanced to encourage use by ground dwelling fauna;
  - c. Use of fences and other barriers (including street lighting) in a way that directs wildlife to underpasses, a land bridge or safer crossing points, which are away from intersections, have opportunities for escape (limited barriers to road crossing, particularly in central median strips), and have good line of sight;
  - d. Imposing speed limits along the road or for key areas of connection;
  - e. Avoidance of lighting in the key linkage areas. Any lighting which is installed (noting the lack of support for its benefits regarding reduced kangaroo-vehicle collisions) should be considered to act as a physical “barrier” to movement, likely to create a road kill hotspot at either end where animals move around it to access nearby habitat;
  - f. Lighting of intersections with ample escape routes through the limited use of barriers within several hundred meters (either on road edges or central median strips); and
  - g. prevent access by wildlife from either side of the road, where road barriers are required particularly where central safety barriers between carriageways are in place

#### Nature Reserve considerations

The EIS will need to:

1. Describe any potential impacts to the adjacent Nature Reserves and how these will be avoided, including:
  - a. any potential impacts to existing hydrology patterns in the adjacent Nature Reserves and how these will be preserved
  - b. potential increased threat of invasive plant incursions in Kama Nature Reserve and the Pinnacle Extension Offset. The duplication of William Hovell Drive is likely to disturb established ground story vegetation (native and exotic) within the road reserve. Non weed infested areas of native dominant understory within the road reserve should be protected and not disturbed wherever possible.

Note: African Lovegrass (*Eragrostis curvula*), a declared pest plant under the *Pest Plants and Animals Act 2005*, is a major threat to ground story biodiversity in protected woodlands and grasslands of the ACT; as identified in the ACT Native Woodland Conservation Strategy and Action Plans. Roadside mowing is one of the major invasion vectors for the spread of this declared pest plant in the ACT.

- c. The design of road edges and the re-grassing of disturbed batters has the potential to increase both the extent and proximity of mown areas adjacent to these nature reserves. Road edge treatments should be designed to minimise edge mowing and the likely spread of African Lovegrass in close proximity to nature reserves. Examples of alternatives to grass on road edges could include compacted decomposed granite. Eliminating grassed verges would also restrict kangaroo grazing directly adjacent to traffic.
- d. All batters should be planted very densely with shrubs and ground covers to act as a niche barrier to future infestation of African Lovegrass or Chilean Needlegrass and minimise the spread of seed into adjacent conservation lands. African Lovegrass infestations along William Hovell Dr, which have spread from roadside mowing to the

adjacent batters, are already impacting the Molonglo Strategic Assessment Offset Patches H and C. With windblown seed from the batter being a constant source of re-infestation for these offset patches.

#### Offset considerations

The EIS will need to:

1. Describe how the loss of critically endangered Box Gum Woodland will be offset. As the biggest impact of the road upgrade on this community is not loss of habitat but the impact it will have on woodland connectivity.
2. Consideration should be given to building of a land bridge connection (from Pinnacle to Kama Nature Reserve) being the offset measure (for example as done in Nevada, USA). Another potential offset condition could be that the road verge and batters along the entire length of William Hovell Dr be addressed to better mitigate the spread of declared pest plants into Kama, The Pinnacle, Mount Painter, Offset Patches H, C, N, Aranda Grasslands, and the woodland/grassland within Glenloch interchange and adjacent to the cork oaks. Weed control works can be viewed online.

### **A2. Environment Protection Authority (EPA)**

The scoping document provided adequately covers the issues of concern for the Environment Protection Authority (EPA), in particular contamination and erosion and sediment control, noting that the formal trigger is for potential impacts to flora and fauna.

Please note that as the project involves the construction of public infrastructure on a site of 0.3ha or more the proponent will also need to enter into an Environment Protection Agreement with the EPA.

Additionally should the proposal proceed beyond the final EIS to the construction stage, the EPA will require the following be included as Development Application conditions:

- A site specific contaminant management plan (CMP), incorporating an unexpected finds protocol, must be prepared by a suitably qualified environmental consultant and implemented during site development works. The CMP must include, amongst other things, appropriate procedures for the identification, assessment, management, validation and disposal of potential contamination at the site and contractor induction procedures into the use of the CMP;
- All soil subject to disposal from the site must be assessed in accordance with EPA *Information Sheet 4 - Requirements for the reuse and disposal of contaminated soil in the ACT*, with no soil is to be disposed from site without EPA approval; and
- All construction works are covered by and erosion and sediment control plan approved the EPA.

### **A3. Emergency Services Agency (ESA)**

#### Bushfire Protection Requirements:

This development is located inside of the area declared by the ESA to be subject to the threat of bushfire as noted within the Environmental Impact Statement Scoping Request reference number 3002750, prepared by SMEC, engaged by IDPG on behalf of TCCS.

ACTF&R notes, and is supportive of, the report indicating consideration of the bushfire risk as part of the development of the EIS in considering the bushfire asset protection zones around the construction compounds and mitigation measures to manage the potential risk from fire during construction.

*Asset Protection Zones:*

Asset protection zones (APZ) assist with bushfire risk mitigation in the urban area by reducing the impact of embers, radiant heat and flames on properties. APZs also provide access for firefighters (and their vehicles) to conduct fire suppression activities and provide space to evacuate if required.

When APZ's are imposed on land not within the development site, the APZs are required to be maintained as per the ACT bushfire management standards (2014) Table 4 (Pg. 4) or as recommended by the findings of a bushfire assessment report, whichever is the higher standard.

*Bushfire Protection Measures - During Construction:*

Where works prevent travel along existing fire trails or access ways, alternate access, constructed to Rigid Float standard in accordance with the Strategic Bushfire Management Standards (2014) must be provided to ensure access for firefighting operations is maintained.

Standard industry procedures are to be adhered to for hot works during construction and operation at the facility and a permit will be required for any high-risk activities such as hot works on total fire ban days.

#### **A4. ACT Health**

The Health Protection Service (HPS) has reviewed the documents and supports:

- the need for a Construction Environmental Management Plan (CEMP) to be prepared before construction. The HPS also supports an Unexpected Finds Protocol be prepared and implemented under the framework of the CEMP;
- the need for all imported fill and the reuse of soil within the project to comply with the ACT Environment Protection Authority requirements; and
- the recommendation that where observed, surface fly tipped wastes (including suspected asbestos containing materials if present) are removed using appropriately licensed persons, where applicable, prior to construction to prevent cross contamination of underlying soils.

There are no further public health concerns in relation to the proposed EIS scoping document.

#### **A5. ACT Heritage Council**

On 17 April 2020, the Council provided advice on this proposal to Transport Canberra and City Services, which set out that further information is required in the CHA to determine whether the proposed development may damage Aboriginal places and/or diminish the heritage significance of the places subject to *Heritage Act 2004* provisions.

The following potential heritage impacts were identified in this advice:

- The proposal may have impacts within the curtilage of the Kama Woodlands and Weetangera Cemetery that could diminish the heritage significance of these places; and
- Areas potential archaeological deposit (PAD) may be impacted by the development. Clarification of the boundaries of these PADs is required to understand these possible impacts.

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In this context, the Council identifies the following *Heritage Act 2004* requirements for the project:

1. The project CHA must be revised to address Council advice provided on 17 April 2020, and be submitted to the Council for endorsement;
2. An Excavation Permit would need to be sought for the further investigation of any PAD areas that would be impacted by the proposal, and archaeological testing undertaken in accordance with any Council approval issued under Section 61F of the *Heritage Act 2004*;
3. Informed by the above, the project EIS is to: describe the known heritage values of the proposed development area; assess the potential heritage effects of the activity; and set out appropriate management recommendations in accordance with *Heritage Act 2004* requirements; and
4. As information on Aboriginal places and objects is restricted and/or culturally sensitive, the project EIS is only to include a redacted version of the CHA as an appendix.

Additionally, the Council notes that if works will damage or diminish the significance of any heritage places, a Statement of Heritage Effect approved by the Council under Section 61H will be required in addition to *Planning and Development Act 2007* approvals.

**A6. Development Coordination Branch, City Services, Transport Canberra and City Services (TCCS)**

SLR's noise assessment report should also discuss the likely noise source reduction in its recommendations, being attributed to either engine noise or road surface noise, and therefore shouldn't rely solely on OGA (or similarly SMA) pavement surface to achieve target noise levels. This is also to mitigate the potential for the OGA pavement voids filling with debris prior to its theoretical service life as a noise mitigation measure which will reduce its effectiveness to an almost negligible level.

**A7. Icon Water**

Icon Water have no comments regarding the William Hovell Drive Duplication.

**A8. Jemena**

On behalf of Evoenergy Distribution Gas, Jemena have no comment to make re: Request for scoping document-EIS202000014-William Hovell Drive Duplication as there are no gas network assets in the vicinity of the development.

**A9. Suburban Land Agency (SLA)**

General

- The Suburban Land Agency is supportive of the EIS Scoping application

Noise

- The EIS should consider noise impacts on the Whitlam estate along its entire William Hovell Drive interface from John Gorton Drive to Kama Nature reserve. The current proposed treatment to mitigate noise (Open Grade Asphalt) appears to stop well short of Kama Nature

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Reserve, and therefore potentially exposing parts of Whitlam to inappropriate levels of road noise.

- The EIS should consider the long term maintenance of the open grade asphalt, and ensure that future maintenance activities do not degrade the noise mitigation provided by the road surface (either through resurfacing with inappropriate material, or failing to maintain the surface in the timeframe advised in the Noise report).

#### Visual Amenity

- The EIS should consider the visual amenity from the Whitlam estate towards William Hovell Drive, including the design of any retaining walls that will be visible from the Whitlam estate.

#### Light pollution

- William Hovell Drive sits well above Whitlam estate. If lighting is to be provided along the interface with Whitlam, the EIS should consider potential for light spill into the estate and ensure it does not negatively affect residents.

#### **A10. National Capital Authority (NCA)**

The NCA has no comment.

## Attachment C

### GLOSSARY

**Controlled Action (EPBC):** An action defined under the EPBC Act, section 67.

**Development application (DA):** Application for development as defined under the PD Act.

**Environment:** As defined 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).

**Environmental Impact Statement (EIS):** As defined under the PD Act.

**EPBC Act:** *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)

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

**Long term:** Greater than 15 years duration.

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

**PD Act:** *Planning and Development Act 2007* (ACT)

**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.