

# Planning and Development (Environmental Significance Opinion - Tuggeranong Hill – Theodore Substation Fibre Optic Cable Connection) Notice 2011 (No 1)

Notifiable instrument NI2011–775

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 (Environmental Significance Opinion – Tuggeranong Hill – Theodore Substation Fibre Optic Cable Connection) Notice 2011 (No 1)*.\*

## **2 Commencement**

This instrument commences on the day after notification.

## **3 Environmental Significance Opinion**

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

The text of the opinion is shown at Annexure A.

## **4 Completion**

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

David Papps  
Planning and Land Authority

9 December 2011

\*Name amended under Legislation Act, s 60



**ACT**  
Government

Environment and  
Sustainable Development

Mr David Papps  
Chief Planning Executive  
ACT Planning and Land Authority  
Dame Pattie Menzies Building  
DICKSON ACT 2602

Dear Mr Papps

This is to advise of my decision, under s.138AB(4) of the *Planning and Development Act 2007*, on the request for an environmental significance opinion for the proposed installation of a fibre optical cable link from the Theodore ActewAGL electrical substation to the telecommunications tower on Tuggeranong Hill, Block 12 Section 682 Theodore and Block 3 Section 687 Theodore.

The proposal is not likely to have a significant adverse environmental impact on land reserved under s. 315 for the purpose of wilderness area, national park, nature reserve or special purpose reserve.

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

Yours sincerely

Penny Farnsworth  
Conservator of Flora and Fauna

24 October 2011



**ACT**  
Government

Environment and  
Sustainable Development

## **ENVIRONMENTAL SIGNIFICANCE OPINION**

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

### **PROPONENT**

Mr Martin Corby, Project Manager, O'Donnell Griffin

### **LOCATION**

Block 12 Section 682 Theodore and Block 3 Section 687 Theodore

### **DEVELOPMENT PROPOSAL**

New optical fibre cable link between Theodore ActewAGL electrical substation and the Tuggeranong Hill communications tower to activate the substation security system.

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

Block 12 Section 682 Theodore is within an area reserved as public land nature reserve and is part of Canberra Nature Park.

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

### **OPINION**

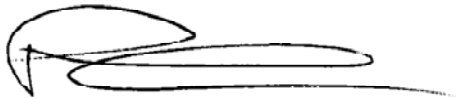
The proposal is not likely to have a significant adverse environmental impact provided works are undertaken wholly within the existing track alignment and are in accordance with an approved Parks and Conservation works approval and appropriate licences under the provisions of the *Nature Conservation Act 1980*.

**MANNER IN WHICH DEVELOPMENT PROPOSAL MUST BE UNDERTAKEN:**

That all works are in accordance with the requirements of the Parks and Conservation Service. These are to include (but not limited to):

- appropriate sediment controls being implemented;
- vehicles are washed down prior to entering the site;
- no works in wet weather or extreme fire danger;
- conduit depth to be 1.0m
- no pits within track;
- excess spoil to be reused onsite;
- track to be reinstated to appropriate standard; and
- any inadvertent damage off track to be reinstated using native grasses to PCL specifications.

Attached is a Statement of Reasons for the decision.



Penny Farnsworth  
Conservator of Flora and Fauna

26 October 2011

## STATEMENT OF REASONS REASONS FOR THE DECISION

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

item 3

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

The proposed works are located within an area of Canberra Nature Park known as Tuggeranong Hill.

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

### **Meaning of *significant* adverse environmental impact**

An adverse environmental impact is *significant* if—

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

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

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

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

It has been determined that the proposal is unlikely to have a significant environmental impact, based on the documentation submitted.

**Project description**

Installation of a new optical fibre cable link between Theodore ActewAGL electrical substation and the Tuggeranong Hill communications tower to activate the substation security system. The substation is the major southern substation and is important to the supply of electricity to the ACT, particularly if there is a loss of power at the main substation at West Belconnen. The security system is required due to increasing vandalism of the substation.

Due to the steepness of the terrain on Tuggeranong Hill the only practical route is up the existing fire trail. To ensure the optical fibre is not damaged by grading of the trail in the future it will be at a depth of 1.0m. Any spoil from the trench will be used in rehabilitation of the trail and associated contour banks.

The fire trail is in a poor condition and would need upgrading in the near future.

**Documentation Submitted**

Scope of works and measures to avoid and minimise impacts on conservation values.

Aerial photograph showing the location of the works.

Draft Works Plan for approval by the Parks and Conservation Service.

***Natural conservation values present***

Nil. The area that is the subject of the development proposal is within the existing fire trail.

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

Minor The potential for off site impacts are negated by the requirement for sediment and erosion control and for a works approval approved by the Parks and Conservation Service. Works will be supervised by Parks Rangers.

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

Yes. All works are to be within existing disturbed areas where ever possible..

**Potentially Significant Environmental Impacts**

Nil.