

# Planning and Development (Scoping Document – Capital Metro Light Rail Stage 1 – Gungahlin to Civic) Notice 2014

Notifiable Instrument NI2014-502

Made under the

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

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## 1 Name of instrument

This instrument is the *Planning and Development (Scoping Document – Capital Metro Light Rail Stage 1 – Gungahlin to Civic) Notice 2014*.

## 2 Commencement

This instrument commences on the day after notification.

## 3 Scoping of EIS

The Environmental and Planning Directorate has prepared a scoping document in accordance with section 212 of the *Planning and Development Act 2007*.

The text of the Scoping Document is shown at Annexure A.

## 4 Completion

The Scoping Document and the notice including the text of the scoping document expires 18 months after the day this notice is notified.

Dorte Ekelund  
Environment and Planning Directorate

14 October 2014



**ACT**

Government

Environment and Planning

# Form

## Scoping Document

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

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<b>APPLICATION NUMBER:</b> 201400239	<b>DATE OF THIS NOTICE:</b> 14 October 2014
<b>DATE LODGED:</b> 1 September 2014	
<b>PROJECT:</b> Capital Metro Light Rail Stage 1 - Gungahlin to Civic	
<b>LOCATION:</b> Hibberson Street, Flemington Road, the Federal Highway and Northbourne Avenue	
<b>APPLICANT:</b> Capital Metro Agency	
<b>LAND CUSTODIAN:</b> unleased Territory Land, leased land of <i>Yowani Country Club Ltd.</i> and <i>ACT Property Group</i>	

### SCOPING DOCUMENT:

The planning and land authority within the Environment and Planning Directorate (EPD) received your application under Section 212(1) of the *Planning and Development Act 2007* (the P&D Act) for Scoping of an environmental impact statement (EIS) for the above proposed development. Pursuant to Section 212(2) of the P&D Act EPD has:

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

*NB: The attached scoping document is final. The Environmental Impact Statement 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 P&D Act, this Scoping Document is effective for 18 months from the day after the date of this notice.

### FORM AND FORMAT OF EIS

EPD 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 *Planning and Development Regulation 2008*
- 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 four copies of the revised EIS
- The EIS must be presented for circulation and web posting in an electronic format
- 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 may be requested
- 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

GPO BOX 1908, Canberra ACT 2601

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- 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 EPD from time to time.

### **NEXT STEPS:**

Pursuant to Section 216(2) of the Act, you are now required to:

- a) Prepare a document (a **draft EIS**) that addresses each matter raised in the final scoping document for the proposal
- b) Pay the public notification fee once you receive the fee advice from Customer Services, EPD
- c) Prepare a document (a **revised EIS**) that addresses each matter raised in EPD's comments and the representations on the draft EIS
- d) Submit the revised EIS to EPD for evaluation.

If you have any queries about the requirements outlined in this scoping document, please contact Jonathan Teasdale to arrange a suitable time to discuss.

#### **Delegate**

Dorte Ekelund  
Director General  
Environment and Planning Directorate

October 2014

#### **Contact**

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Impact and Estates Assessment  
Planning Delivery Division  
Environment and Planning Directorate  
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Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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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 and street address for the proposal
- The date of preparation of the document
- Full name and postal address of the designated proponent
- Name of the person/organisation who prepared the document
- Address, telephone and email contact details for the person/organisation who prepared the document
- Name of person/organisation for whom the document was prepared.

### 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 proposal background and justification for the proposal.

### 5 Proposal Details

#### 5.1 Project Description

Provide a description of the proposal, including:

- a) The location of all land to which the proposal relates and all associated developments, 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

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- 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 including 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 relevant impacts
  - j) A description of the construction methodologies for the proposal.

### 5.2 *Future Stages*

Provide a description of any future stages of the proposal.

### 5.3 *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) Alternative uses of the land to which the proposal relates
- c) Any matters considered to avoid or reduce potential impacts prior to the selection of the alignment
- d) Details of the consequences of not proceeding with the proposal.

### 5.4 *Objectives*

Describe the objectives of and justification for the proposal.

## **6 Legislative Context**

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

### 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
- Requirement for Works Approval from the National Capital Authority.

### 6.2 *Other requirements*

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

- Territory Plan 2008
- National Capital Plan
- ACT Planning Strategy 2011

- Transport for Canberra 2012
- Identify any other relevant planning and environmental guidelines and management plans.

### 6.3 *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 P&D Act.

### 6.4 *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).

## 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. 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.

-Assessment guide-			
Provide a table with the headings below to describe the impacts 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

## 8 Assessment of Impacts

Sufficient information is required to provide EPD with an adequate understanding of the environmental impacts associated with the proposal. Each potentially significant impact with a risk rating of medium and above as identified in the risk assessment must be addressed with the information required by sections 8.2 to 8.7 of this Scoping Document.

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

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

		Matters also raised by entity
	<b>Biodiversity</b>	*Conservator (all matters)
A.1	Impacts to vegetation during construction, including but not limited to an assessment of impacts to the following vegetation communities and threatened flora species. This must include an assessment of direct and indirect impacts such as edge effects, sedimentation, weed and pathogen introduction and fragmentation.	
	<ul style="list-style-type: none"> <li>• Yellow Box – Blakely's Red Gum Grassy Woodland</li> <li>• Natural Temperate Grassland</li> <li>• Tablelands Dry Shrubby Box Woodland</li> <li>• Ginninderra peppercress</li> <li>• cleared and disturbed land with scattered trees.</li> </ul>	
A.2	Direct and indirect impacts (including: death/injury, fragmentation, edge effects, fauna movement and connectivity, weed invasion, lighting and noise and vibration) to threatened fauna species that are likely to occur in the project corridor including but not limited to:	
	<ul style="list-style-type: none"> <li>• Perunga Grasshopper</li> <li>• Golden Sun Moth</li> <li>• Striped Legless Lizard</li> <li>• general/common fauna</li> </ul>	
A.3	Clearing of potential habitat for migratory species identified within the wider locality of the proposal.	
	<b>Non-Indigenous and Indigenous Heritage</b>	* Heritage (all matters)
B.1	Direct and indirect impacts to existing heritage places (including as a result of establishing light rail infrastructure in the vicinity of heritage items) including but not limited to:	
	<ul style="list-style-type: none"> <li>• physical impacts</li> <li>• noise and vibration impacts</li> <li>• contextual impacts</li> <li>• changes to the heritage and landscape character of the area, particularly along Northbourne Avenue.</li> </ul>	
B.2	Impacts to the landscape structure heritage of the Federal Highway road reserve and impacts to heritage values of Northbourne Avenue from changes to the built elements and spatial composition of the road reserve.	NCA
B.3	Impacts to National Heritage Listed Areas.	
B.4	Loss or damage to potential archaeological deposits of significance to Aboriginal people or places with Aboriginal cultural values, in particular	

	within the northern portion of the study area.	
B.5	Potential impacts to Aboriginal heritage artefacts and/or sites as a result of land clearing and or excavation works. Areas of investigation must include:	
	<ul style="list-style-type: none"> <li>the depot facility</li> </ul>	
	<ul style="list-style-type: none"> <li>part of the alignment on Flemington Road that crosses the end of the Gurbur Dhaura ridgeline</li> </ul>	
	<ul style="list-style-type: none"> <li>part of the alignment between Well Station Drive and Lysaght Street</li> <li>any areas outside the currently identified project footprint.</li> </ul>	
B.6	Direct and indirect impacts to historic/European and/or Aboriginal burial sites.	
B.7	Direct and indirect impacts to registered historical archaeology sites including but not limited to:	
	<ul style="list-style-type: none"> <li>the James Coopers Historic Site</li> </ul>	
	<ul style="list-style-type: none"> <li>an existing culvert on Flemington Road</li> <li>Gubur Dhaura (Aboriginal Ochre Quarry and Historic Mining Area).</li> </ul>	
<b>Noise and vibration</b>		
C.1	Direct and indirect impacts from increased noise and vibration from the project, including but not limited to:	
	<ul style="list-style-type: none"> <li>exceeding vibration criteria for human comfort and cosmetic damage to buildings from construction activity</li> </ul>	
	<ul style="list-style-type: none"> <li>operational vibration affecting vibration sensitive receivers or interfering with the operation of/or damaging nearby utility infrastructure</li> </ul>	ACTEW Water
	<ul style="list-style-type: none"> <li>increased noise for noise sensitive receivers including noise due to operation of light rail vehicles, including elements such as warning bells, noise from passengers, increase in noise around the proposed depot location, and noise from fixed project elements such as substations</li> </ul>	TAMS
C.2	Noise and vibration impacts to biodiversity can be assessed under the biodiversity section.	
<b>Trees</b>		
D.1	Impacts to trees listed under the Tree Protection Act.	TAMS
<b>Landscape and visual</b>		
E.1	Visual impacts from the project including but not limited to vegetation clearing, construction activities, the placement and movement of plant and other equipment during construction, new infrastructure and facilities and the operation of light rail vehicles.	NCA, TAMS
E.2	Impacts associated with the removal of existing trees that make a significant contribution to the visual character/amenity of the receiving environment. For example, the removal of the trees from the centre median of Northbourne Avenue and introduction of the rail infrastructure would provide a significant visual change for the approach route into Canberra.	NCA, Heritage, TAMS



	<b>Traffic and transport</b>	
F.1	Impacts of removal and changes to parking and property access along the alignment and at commercial hubs limiting accessibility to surrounding businesses and/or residences.	TAMS
F.2	Reduced road, bus, cycle and pedestrian network performance, safety and carrying capacity and increased travel times during construction from construction vehicle movements and lane/road closures.	TAMS
F.3	Impacts from reduced road, bus, cycle and pedestrian network performance during operation, including as a result of changed traffic arrangements, traffic signals phasing, and additional traffic signals.	TAMS
F.4	Disruptions to emergency access, including but not limited to potential changes to roads, lane changes or closures during construction.	
F.5	Negative perceptions associated with the proposed interchanges, including but not limited to delays between LRV arrival and/or bus arrival/departures for interchanging passengers.	
F.6	Viability of alternative services during extreme events and during any required repair periods to light rail network.	
	<b>Air quality and greenhouse gases</b>	
G.1	Increased greenhouse gas emissions and other air pollution due to use of construction plant, machinery, equipment, trucks and vehicles, and generation of dust and other particles during construction.	
G.2	Air quality impacts (such as dust and/or other air pollution) on sensitive receivers along the alignment.	TAMS
	<b>Water and hydrology</b>	
H.1	Potential for impacts to groundwater and existing bores, including from any deep excavations and pollutant spills entering aquifer(s) and from proposed dewatering activities.	
H.2	Potential risk of flooding affecting operation of the light rail and for the proposal to result in exacerbation of existing localised stormwater flooding events during operation.	TAMS
H.3	Potential impacts from increased surface runoff and changes to surface drainage.	TAMS
H.4	Potential impacts from dust suppression and vehicle washing activities.	
	<b>Contamination and soils</b>	
I.1	Removal of vegetation during construction causing erosion and sediment pollution to waterways.	
I.2	Potential impacts from geotechnical constraints and contaminated soils and groundwater encountered during construction (e.g. unsuitable substrates, acid sulphate soils).	
I.3	Operation of light rail vehicles mobilising existing known or unknown contaminants in the environment.	
	<b>Social and economic</b>	
J.1	Direct and indirect impacts to the operation of local businesses, for example adverse amenity and access constraints leading to reduced	

	passing trade.	
J.2	Impacts from the removal of existing roadside memorials which are within the footprint of the project, such as those associated/attached to existing trees along Northbourne Avenue.	
J.3	Direct and indirect impacts on the amenity of local communities, including but not limited to noise, dust, visual impacts, physical separation and demographic changes.	
J.4	Economic impacts on the Territory and ACT Government operations from additional costs imposed by the project when performing on-going city maintenance tasks	TAMS
J.5	Cost/fare increases for public transport passengers.	
J.6	Security, safety and policing of light rail operations, facilities and of public spaces along the route.	
	<b>Utilities and services</b>	
K.1	Potential disruption to existing utility services, including the Inner North Reticulation Network infrastructure and customer supply and access, for maintenance and repairs during construction.	Conservator
K.2	Damage to services and utilities during construction and potential discovery of previously unknown utility services (including worker/public safety risks, such as electrocution or gas leaks).	
K.3	Risks of electrolysis corrosion impacts caused by potential stray leakage currents from the running rails into surrounding earth causing cause electrolysis corrosion of nearby buried metalwork.	
	<b>Waste, energy and resources</b>	
L.1	Increased waste to landfill during construction of the project and environmental hazards associated with the transport and disposal of construction waste, including potentially hazardous/contaminated materials (e.g. asbestos, contaminated spoil).	
L.2	Impacts of increased energy consumption associated with manufacturing building materials and infrastructure.	
L.3	Impacts associated with the use and storage of hazardous materials in light rail operations, infrastructure, facilities and construction.	EPA
	<b>Land use</b>	
M.1	Impacts on public land and facilities and associated social impacts.	
M.2	Negative impacts on property along the alignment from increase or decrease in property amenity and value due to construction, new light rail infrastructure and operations.	
	<b>Climate change</b>	
N.1	Potential impacts to the proposal resulting from, and the ability to adapt to, climate change including predicted increased frequency, severity and duration of extreme temperature (days exceeding 35°C), wind and rainfall events.	

	<b>Hazard and risk</b>	
O.1	Impacts associated with accidental injuries or fatalities due to undertaking construction works in close proximity to sensitive receivers (e.g. schools), major arterial/regional roads and highly pedestrianised areas.	
O.2	Potential impacts of Electromagnetic Fields (EMF) resulting from the operation of the light rail.	
O.3	Impact of injuries or fatalities involving pedestrians or other road users from collisions involving the light rail vehicles or infrastructure, including collisions between LRVs and pedestrians within highly pedestrianised areas and accidents involving bicycles and motorbikes and light rail tracks.	
	<b>Bushfire</b>	
P.1	Potential impacts of bushfires from areas adjacent to the alignment impacting on the operations of the project.	
P.2	Impacts on surrounding areas from bushfire risk management activities associated with light rail facilities/operations.	Conservator
P.3	Impacts from bushfires ignited by construction and operation of the light rail network.	

### 8.1 Potentially significant impacts

For each environmental, economic or social aspect which includes an individual risk rated at medium or above the information as required by sections 8.2 to 8.7 is to be provided.

### 8.2 Environmental conditions and values

Describe the environmental conditions and identify the environmental values for each aspect. This section should outline the existing environmental conditions (baseline information, prior to the development including effects of current land uses).

### 8.3 Investigations

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

### 8.4 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.

### 8.5 Mitigation and offsets

Discuss the proposed measures to avoid, minimise, (or as a last resort) offset the impacts of the proposal, to control the adverse effects of the development. 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

- b) A description of the expected or predicted effectiveness of the mitigation measures
- c) Any statutory or policy basis for the mitigation measures
- d) 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
- e) The frequency, duration and objectives of monitoring proposed
- f) A brief description of any proposed offset for the unavoidable impacts of the development (if proposed).
- g) A description of the cost effectiveness of environmental mitigation or rehabilitation measures proposed and the expected or predicted effectiveness of those measures.

### 8.6 *Expected condition*

A description of the expected environmental conditions after the development and any impacts has 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.

### 8.7 *Residual risk*

Provide a table that details the residual risk for the potentially significant impacts identified for the environmental aspect. 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.

-Assessment Guide-				
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 7.1	Original risk rating from items identified in 7.1	Residual likelihood	Residual consequence	Residual risk rating

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.

#### 8.7.1 Traffic and transport

- *Describe arrangements for the transport of construction materials, equipment, products, wastes and personnel during construction*
- *Include a description of the volume of traffic generated during construction and operation*
- *Include details of vehicle traffic, transit routes and transport of heavy and oversize loads.*

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#### 8.7.2 Utilities and services

- *Describe the existing utilities located on the land subject to this proposal*
- *Describe any new utilities, removal, realignments or utility connections required as a result of this development.*

#### 8.7.3 Waste, energy and resources

- *Describe the nature, sources, location and quantities of all materials to be handled, including the storage, stockpiling and disposal of materials and waste.*

#### 8.7.4 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*
- *Provide perspectives and/or a visual analysis of the proposal from local vantage points.*

#### 8.7.5 Contamination and soils

- *Describe the soil and geology features of the area.*

#### 8.7.6 Water and hydrology

- *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.*

#### 8.7.7 Air quality and greenhouse gases

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

#### 8.7.8 Social and economic

- *Provide an analysis of the potential impacts on human health and any measures incorporated into the development to mitigate these impacts*
- *Describe the suitability of the land for the type of proposal described in terms of socio-economic and health*
- *Provide maps showing sensitive receivers.*

#### 8.7.9 Noise and vibration

- *Identify any potentially sensitive receivers (including residential dwellings and road users) which may be affected by the construction and operation of this proposal*
- *Discuss the magnitude, duration and frequency of any noise or vibration that might arise from the construction phase*
- *Discuss the types, duration and frequency of any noise and/or vibration during operation phases of the proposal.*

#### 8.7.10 Hazard and risk

- *Describe the potential for hazard and risk associated with the construction and operation of the project including flooding, vandalism and accidents*
- *Describe how the site is suitable for the proposed use by considering identified hazards and risks.*

#### 8.7.11 Recreation

- *Describe any areas used for recreation (formal or informal) and the potential for the proposal to impact on these areas.*

#### 8.7.12 All other risks

- *Describe any potential risks that have been identified subsequent to the scoping document and not in the previous sections.*

### 9 Community and stakeholder consultation

#### 9.1 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 effected by the proposal
- The local community.

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

#### 9.3 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.

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

### 10 Recommendations

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

#### 10.2 Provide a summary table outlining the residual risk assessment results.

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

#### 10.4 If an offset package is proposed to provide compensation for any unavoidable impacts arising from the proposal on listed threatened species and communities. The offset package must be consistent with the ACT Environmental Offsets Policy (August 2014) and 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.

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**11 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 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 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.

*13.2 Scoping Document Reference*

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

*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.

*13.4 Information Sources*

For information given provide the; source, currency, reliability (and any cross checking/testing) and what uncertainties (if any) are 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****ENTITY REQUIREMENTS**

Where the entity comments have not been identified as a potentially significant impact, the EIS is to provide information in accordance with the requirements of the entities. Some of the advice below has been included in table 1.

**ACT Heritage Council**

In relation to the Aboriginal heritage significance values of the Stage 1 Project, GML (2014) identifies that landscape of the Gungahlin, Franklin and Harrison area was well used by Aboriginal people in the past and is generally of heritage significance; and that places within this area not already disturbed have archaeological and cultural potential. While much of the Stage 1 Project area is contained within existing road corridors that have been significantly disturbed, three areas have been identified as being of potential archaeological and cultural sensitivity, being:

- The proposed stabling facility area to the rear of the National Archives building;
- The end of the Gubur Dhaura ridgeline where Flemington Road crosses it near Pape and Barbara Jefferis Streets; and
- The section between Well Station Road and Lysaght Street where the proposed alignment falls outside of the existing road corridor and including the traction substation location (#5, Vicars Street TPS).

Through consultation with Representative Aboriginal Organisations, GML (2014) also describe how the site of Gubur Dhaura is the most significant Aboriginal cultural place in near proximity to the Project area, and it should be avoided by all construction works.

In relation to settler Australian heritage significance values of the Stage 1 light rail alignment, GML (2014) identifies the following matters as requiring further assessment:

- The potential impacts of the Project on the landscape and planning heritage of Canberra will be a key issue, and the relationship between the proposed light rail and three National Heritage List nomination areas - the 'Canberra the Planned National Capital' area, the 'Canberra-Central National Area and Inner Hills' area and the 'Canberra and Surrounding Areas' area - should be a fundamental consideration for the Capital Metro design;
- Northbourne Avenue and the trees along it, which will be key considerations for the Capital Metro project. Although not entered on the ACT Heritage Register, the trees define the landscape corridor of the entrance route of Northbourne Avenue and are an important part of the early concept for Canberra. The heritage value of the Northbourne Avenue trees is reflected in the NHL nominations for Canberra, and their removal or partial removal is likely to generate considerable public interest;
- It appears at this stage that no heritage places and objects registered on or nominated to the ACT Heritage Register are likely to be subject to direct physical impacts as a result of the proposal; and
- Three elements of historical archaeological potential have been observed in relation to this project. Two will not be impacted by the project. One site, the 'James Cooper Historic Site' has the potential for impacts from the proposed stabling location. As an unassessed



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archaeological resource further research may be warranted to establish its nature, extent and significance.

As part of the Project's upcoming EIS, the Council advises that detailed heritage impact assessments are required for both Aboriginal and settler Australian heritage significance values, and that these documents should:

- Provide a detailed written description and mapping of the Project, which encompass the light rail alignment and all related works areas (which will collectively form the Project area).
- Provide a historic, social, archaeological and environmental context for the Project area and surrounding lands.
- Identify heritage places and objects within and in the immediate vicinity of the Project area, collating information on previously recorded heritage places and objects, and documenting the aims, methods and results of any heritage or archaeological inspections conducted as part of the heritage assessment process.
- Provide an assessment of the heritage significance of all heritage places and objects within and in the immediate vicinity of the Project area, in accordance with the criteria as described in the *Heritage Act 2004*.

Where potential impacts to National Heritage Listing nominated areas are being described, this should be in a format suitable to support self-determination of significant impact on a matter of national environmental significance under the EPBC Act, and support a referral under the EPBC Act, if required.

Where Aboriginal heritage places and objects are being assessment, a specific description of their heritage value to Representative Aboriginal Organisations is to be included.

Where further information is needed to assess the heritage significance values of identified places and objects, this should be clearly identified and included in the management recommendations of the heritage assessment report.

- Assess the potential impacts of the proposed Project on the identified heritage significance values, encompassing both direct and indirect impacts as appropriate.
- Where impacts to heritage places and objects are identified, and such impacts cannot be avoided through design amendments, develop impact mitigation strategies to minimise harm.

These assessments should reflect the principles and practices of the Burra Charter (Australia ICOMOS 2013) and the seven related Practice Notes published in 2013.

Where engaging with Representative Aboriginal Organisations on Aboriginal heritage significance values, the assessment process should also reflect the principles outlined in *Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2001).

Where Aboriginal heritage assessment reports include sensitive Aboriginal cultural information or detailed heritage site information (such as GPS coordinates and explicit site location details), the Council requires that a redacted version of the Aboriginal heritage assessment report also be prepared and submitted for Council review.

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In accordance with GML (2014) recommendations, the Council also advises that:

- All efforts should be made to avoid or minimise impacts to places and objects of heritage significance during the construction and operation of Stage 1 of the Capital Metro Light Rail Project.
- Northbourne Avenue must retain its character as a grand, ceremonial approach into central Canberra. Detailed design planning for the light rail project should respond to its' landscape heritage values, for example, infrastructure for the Capital Metro should be designed to sit as unobtrusively as possible within the landscape of Northbourne Avenue.
- The Gubur Dhaura site, described as the most significant Aboriginal cultural place in near proximity to the Project area (GML 2014), should be avoided by all construction works.
- The Aboriginal heritage impact assessment to be undertaken should specifically consider potential impacts to the three areas of potential archaeological and cultural sensitivity described in the above 'Notes' section.
- The Aboriginal heritage impact assessment should be undertaken by a qualified archaeologist in collaboration with Representative Aboriginal Organisations.
- Consultation with the ACT Heritage Council should continue throughout the course of the heritage assessment and management process.

As potential impacts to three areas nominated for the National Heritage Listing – the 'Canberra the Planned National Capital' area, the 'Canberra-Central National Area and Inner Hills' area and the 'Canberra and Surrounding Areas' area - are identified as key issues by GML (2014), the Council also advise that Capital Metro Agency should continue to liaise with the Commonwealth Department of Environment regarding this matter.

Please also note that since the Stage 1 Preliminary CHA was prepared, the Northbourne Housing Precinct has changed status and is now provisionally registered on the ACT Heritage Register; which should be reflected in the Project's upcoming detailed heritage assessments.

### **Conservator of Flora and Fauna**

The preliminary document has correctly identified the key species and communities which will need to be considered within the EIS. Most of these values are located in North Mitchell Grassland and particular attention will need to be paid to potential indirect impacts on this grassland from the works including:

- changes to hydrology;
- whether the works may favour weed introduction or spread into the grasslands; and
- whether protection of the works or functional line will require off-site asset fire protection measures.

It is correct that the loss of Striped Legless Lizard (SLL) habitat near the Gungahlin Town Centre (west of Manning Clark Crescent) has already been approved under the Gungahlin Strategic Assessment. However this is not the case for the SLL habitat on Gungahlin Block 778 and part Block 634, between Wells Station road and the Mitchell Resource Management Centre. Biosis in their 2011 survey of the Kenny area recorded a relatively high number of lizards (15) under the 24 roof tiles placed in this area. As indicated in Figure 1.1 of the Gungahlin Strategic Assessment Plan, this habitat is outside of

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the development area considered and approved under the Strategic Assessment. The untreed areas of the Open Space south of these blocks is also known habitat, though the boundary of the proposed study area just touches into this area of habitat.

Both the woodland at the northern end of North Mitchell, and in the vicinity of the Mitchell Resource Management Centre, have sufficient mature trees and/or regenerating saplings to meet the Commonwealth criteria, but currently presumably don't meet the essential criterion of having a predominantly native understorey. The nature of the understorey will change from year to year. Under wetter years exotic grasses like fescue and phalaris flourish and dominate, but in drought times, native wallaby and corkscrew grasses may become dominant. Given this, it is considered that the precautionary approach would be to consider the North Mitchell woodland and the less disturbed (higher) parts of the Resource Management Centre woodland as being both the endangered ACT community and part of the EPBC critically endangered community. While the light rail itself is likely to have only minor impact on habitat, the habitat does place constraints with regards to potential related development.

The Perunga Grasshopper is very hard to survey for so any reported occurrence is just an opportunistic sighting and not indicative of comprehensive knowledge of its distribution. The whole of North Mitchell Grassland should be regarded as potential habitat.

Given that the Grassland Earless Dragon has not been found outside of the Majura and Jerrabomberra Valleys despite targeted surveys, it is probably reasonable to consider its likelihood of occurrence along the route as low rather than moderate.

During spring to early summer, the vulnerable Superb Parrot nests on a nearby ridge within Throsby. The males feed the females when they are on the nest and both adults feed nestlings. Adults fly from Throsby to feed in urban trees and ovals mainly in South Belconnen and Harrison. Birds tend to fly along Gungaderra Creek and hence during the breeding season birds fly daily over the proposed light rail route. Some birds have been observed resting and feeding in Red Gum trees at the north end of North Mitchell Grasslands, and it is possible that birds may feed on lawns and street trees elsewhere along the route. Thus the Superb Parrot is known to forage within and frequently pass over the route, and has a high likelihood of occurrence. Trees in the vicinity of Gungaderra Creek are of some importance to its movement across Gungahlin. The Light rail is unlikely to have a significant impact on either habitat or movement, but there is the potential of some impact.

The EIS needs to address impacts on the neighbourhood scale stormwater harvesting system that has been constructed within the inner north, the Inner North Reticulation Network. Infrastructure located within the area of the proposed light rail route includes:

- Dual 400mm and 500mm pipelines adjacent to Flemington Road from Kamberra Winery as far north as Morrisset Road;
- Dual 160mm and 400mm pipelines from the Flemington Pond pump station, along Morrisset and Flemington Roads to a bore and a tank located within EPIC. This infrastructure will need to be avoided when designing the proposed new entrance into EPIC;
- 400mm pipeline under Northbourne Avenue, running adjacent to the Dickson stormwater channel;
- 110mm pipe crosses under Flemington Road and runs along Sanford Street (within the road reserve) to the Cemetery;
- Conduits from a flow meter located at the outlet of the 500m pipeline to Flemington Road Pond run adjacent to Flemington Road and adjacent to Morrisset Road to the pump station.

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The Inner North Reticulation Network infrastructure is not yet registered with dial before-you-dig. Network infrastructure will be registered after the assets are handed over to Roads ACT, Territory and Municipal Services, for ongoing operation and maintenance. CAD and PDF drawings are available showing the locations of the infrastructure. These will be updated with Work As Executed drawings when completed, expected by the end of October 2014. In the meantime this information can be obtained from Jennie Gilles, Program Manager, Canberra Integrated Urban Waterways.

Please contact the Conservator Liaison Officer, if further information or clarification of the above comments is required.

### **National Capital Authority**

The Northbourne Avenue and Federal Highway road reserves are within the Designated Areas under the National Capital Plan (the Plan). The National Capital Authority (NCA) will be the statutory approval authority for any 'works' required for the project in these areas.

The NCA has noted that a preliminary heritage assessment (PHA) has been undertaken to ascertain the heritage values along the proposed route. The PHA notes a number of places listed under the *Heritage Act 2001 (ACT)* adjacent to the route. In particular the Sydney and Melbourne buildings and City Hill contribute to the national significance of the City and its relationship to the Central National Area as defined by the Plan.

The PHA has identified the landscape structure of Northbourne Avenue as having significant value. The NCA supports this assessment but would suggest that this assessment extend to the built elements and spatial composition within the road reserve, which contribute to its grand boulevard character. The landscape structure of the Federal Highway is also considered significant. Chapter 2 of the Plan will provide guidance on these matters.

### **Environment Protection Authority**

#### **Operation**

The Capital Metro Light Rail Proposal, Preliminary Noise and Vibration Impact Assessment Section 4.2 states 'consideration will only be given for additional mitigation measures if the guideline levels are exceeded'. There are two elements to section 4.2 that require further consideration in this regard:

1. The operational noise levels will need to be determined. The EPA notes that the report currently recommends guideline noise levels of 60dBA (day), 55dBA (night), 80dBA (maximum) for the light rail. However the report does not provide sufficient justification for the adoption of these levels as a number of the states reviewed in the impact assessment apply a lower noise trigger level to that currently recommended.
2. In addition to setting the operational noise levels, consideration into the mechanism of adherence is not sufficiently explored nor addressed. In this regard, consideration is required in terms of whether the operational noise levels will be mandatory, goal, trigger, or guideline based.

The EPA notes that the above should be considered in the context that noise from a train is (currently) exempt under the *Environment Protection Act 1997* and therefore future issues or complaints cannot, at this stage, be dealt with by the Environment Protection Authority (EPA). Consideration should be given to how the noise aspect of the Capital Metro will be regulated (if and

as appropriate).

### **Construction**

Canberra's Light Rail Preliminary Environmental Assessment, Section 5.4.2 refers to potential noise impacts during construction including the potential for work to be undertaken out-of-hours. The *Environment Protection Regulation 2005* (currently) does not permit noise from construction work outside of 7am to 6pm Monday to Saturday.

The EPA has held initial discussions with the proponent concerning noise impacts during construction and operational phases. Further consultation as outlined in section 5.4.2 is required prior to the finalisation of the EIS.

The EPA notes that as per current Policy, the EPA would require the following reports be submitted for approval prior to the commencement of construction works on site:

- Construction Environment Management Plan
- Noise and Vibration Management Plan
- Air Quality Management Plan
- Hazardous Materials Management Plan
- Water Quality Management Plan.

### **Contamination**

Records held by the EPA indicate that the proposed works site is unlikely to pose a significant risk of harm to human health or the environment. This conclusion is based on the available information and on the condition that both known, and unknown, land contamination issues and locations are managed in accordance with EPA endorsed guidelines for the assessment and management of contaminated sites.

On the basis of the information, provided in the submitted reports, the EPA will require the assessment and management of potential contamination at the site be managed in accordance with these guidelines. At the completion of works a copy of the Auditor's site audit statement and report into site suitability must be forwarded to the EPA for review and endorsement.

This should not be taken as a warranty by the EPA or the Territory that the land is fit for any particular purpose.

Thank you for the opportunity to comment and please feel free to contact the Environment Protection Authority Planning Liaison Officer on 6207 5642 with any queries.

### **Territory and Municipal Services**

Territory and Municipal Services (TAMS) requires the following to be considered by the EIS:

#### **Environmental**

- Landscape
- Trees
- Air quality
- Noise

#### **Economic**

- Construction impacts including traffic management and congestion

- Stormwater impacts
- Continuity of waste services
- On-going city maintenance tasks

**Social impacts**

- Amenity
- Traffic
- Footpaths
- Cycle routes
- Bus routes and stops

**ACTEW Water**

ACTEW Water requests the following to be addressed in the proposed scoping document:

- Further analysis of potential for operational vibration impacts interfering with adjacent/intersecting utility infrastructure

Any unforeseen impacts on existing or proposed water and sewer assets are to be addressed through negotiations with ACTEW Water prior to the Development Application process.

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**Attachment B****GLOSSARY**

**Biodiversity:** The variability among living organisms defined under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

**Environment:** As defined under the *Planning and Development Act 2007* (the P&D 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).

**Habitat:** An area defined under the NC Act, or the biophysical medium or media defined under the EPBC Act.

**Impact:** An event or circumstance defined under the EPBC Act, section 527E.

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

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

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

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

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

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

**Threatened Species:** A species is vulnerable or endangered, or an ecological community is endangered or a process is threatening under the NC Act, or a species included in the categories that are listed under the EPBC Act, section 178.