

Planning and Development (Conditional Environmental Significance Opinion – Block 21 Cotter River– Demolition of Bendora Powerlines) Notice 2016

Notifiable Instrument NI2016–679

Made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Block 21 Cotter River– Demolition of Bendora Powerlines) Notice 2016*.

2 Conditional Environmental Significance Opinion

- (1) On 8 December 2016, the Conservator of Flora and Fauna, pursuant to section 138AB(4)(b) of the *Planning and Development Act 2007* (the Act), gave the Applicant a conditional environmental significance opinion in relation to the demolition of powerlines on Block 21 Cotter River.
- (2) In this section:
Conditional environmental significance opinion means the opinion in the schedule.

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

Dorte Ekelund
Chief Planning Executive
10 December 2016

Schedule

See section 2(2)

ENVIRONMENTAL SIGNIFICANCE OPINION

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

APPLICANT

Icon Water, as represented by Lara Odell, Coordinator Approvals and Catchment Protection.

APPLICATION and DEVELOPMENT PROPOSAL

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

The development proposal is for the decommissioning of power lines from the Rangers cottage to Bendora Dam Wall as described in the submission.

LOCATION

Block 21 District of Cotter River, within Namadgi National Park near the Bendora Dam

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

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

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

- All vehicles and machinery travelling into Namadgi must be clean and free of mud or plant material;
- disturbance to areas beyond the immediate surrounds of each pole is to be avoided;
- All vehicles are to be kept to the formed track;

- Holes are to be backfilled with locally sourced soil and compacted, with the immediate area of disturbance to be shaped to slow surface runoff velocity and direct runoff to the contours;
- The Bendora Ranger is to be notified prior to the contractors attending on site to ensure there are no changes in conditions to access;
- Vehicles and equipment must be equipped and maintained in order to minimise the risk of igniting a fire, and have the capacity to extinguish a fire either on or caused by the machine;
- All litter to be removed from site by contractors.

Attached is a Statement of Reasons for the decision.



Dr A. Lane
Conservator of Flora and Fauna

08 December 2016

**STATEMENT OF REASONS
REASONS FOR THE DECISION**

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

Part 4.3, item 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.

The proposed works are within Namadgi National 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 to that effect.

Meaning of *significant* adverse environmental impact

An adverse environmental impact is *significant* if—

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

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

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

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

It has been determined that the proposal is unlikely to have a significant environmental impact, based on the documentation submitted, known values of the site, and provided the works and ongoing management are carried out in accordance with the conditions attached to this ESO.

Project description

Icon Water is proposing to remove approximately 350m of overhead power lines that run from Bendora Dam to the Ranger's cottage. Six power poles and their footings will also be removed. The works are required to reduce the risk of bushfire ignition from the power line being impacted by falling trees. The power lines also have a low hang that crosses the access road and their removal will reduce an Occupational Health and Safety risk when large machinery is required to undertake repairs or maintenance on the dam infrastructure.

Documentation Submitted

- Bendora powerline decommission Environmental Significance Opinion Report (Icon Water Version 2.0, 5 October 2016);
- Form 1M.

Natural conservation values present

The hillslope community at the Bendora Dam wall is Narrow-leaved Peppermint – Ribbon Gum Montane Forest with scattered *Eucalyptus dives* and very occasional *E. dalrympleana* at the range crest. There is a good selection of shrubs including the large-leaved *G. oxyanthera*, *Pomaderris aspera*, *Derwentia derwentiana* and *D. perfoliata*, *C. longifolia*, and *E. stricta*.

The power line and associated power poles were installed along the access road to Bendora Dam wall, with the poles pole driven into the road verge. The road verges are the subject of routine vegetation management for asset protection for fire. There are no listed species or communities within the area of the works. The powerlines are in close proximity to known river habitat of Macquarie Perch (*Macquaria australasica*) and Two-spined Blackfish (*Gadopsis bispinosus*) but due to low impact of the works no impacts on these species is likely to occur.

Impact on the Reserve

Namadgi National Park is located in the south and west of the ACT and covers 106,095 hectares or approximately 46% of the ACT. The western boundary of the park is the ridgeline of the Brindabella, Bimberri and Scabby Ranges. The south-eastern border of Namadgi follows the ridgeline of Clear Range.

Namadgi protects Canberra's main water supply catchment with Corin and Bendora Dams located within the Park and the expanded Cotter Dam immediately downstream. In January 2003 91% of Namadgi burnt and heavy rain following the fire resulted in large quantities of sediment and ash washing into Bendora Dam, severely reducing water quality. The removal of these powerlines will reduce the likely hood of bushfire ignition by falling vegetation, as well as have a positive benefit on the visible impact to the natural environment in this location.

The works will not be undertaken during wet periods to ensure the track is capable of supporting the heavy vehicles required to remove the poles and transport them offsite. The works should be completed within 2 days so the impact on visitors will be low.

Potentially Significant Environmental Impacts

The power poles and associated line are located along an existing access track that is routinely maintained, including vegetation management on the verges. The poles were installed by driving the poles directly into the ground and will be removed by lifting the poles vertically minimising any soil disturbance. Works will be undertaken from the existing track minimising areas of compaction. Local soil will be used to backfill the holes reducing the likelihood of weed incursions.

Conditions have been included to reduce the likelihood of inadvertent impacts from the works.

- All vehicles and machinery travelling into Namadgi must be clean and free of mud or plant material to reduce the risk of the spread of weeds;
- disturbance to areas beyond the immediate surrounds of each pole is to be avoided;
- All vehicles are to be kept to the formed track;
- Holes are to be backfilled with locally sourced soil and compacted, with the immediate area of disturbance to be shaped to slow surface runoff velocity and direct runoff to the contours;
- The Bendora Ranger is to be notified prior to the contractors attending on site to ensure there are no changes in conditions to access;
- Vehicles and equipment must be equipped and maintained in order to minimise the risk of igniting a fire, and have the capacity to extinguish a fire either on or caused by the machine;
- All litter is to be removed from the site by contractors.

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