

# Planning and Development (Conditional Environmental Significance Opinion – Numerous Blocks, Tuggeranong – Replacement of Overhead Wires between the Theodore Substation and the Gilmore Substation) Notice 2017

Notifiable Instrument NI2017–588

Made under the

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

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## 1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Numerous Blocks, Tuggeranong – Replacement of Overhead Wires between the Theodore Substation and the Gilmore Substation) Notice 2017*.

## 2 Conditional Environmental Significance Opinion

(1) On 25 October 2017, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the Act), gave the Applicant a conditional environmental significance opinion in relation to the maintenance and replacement of existing overhead earth wires associated with the 132kV ActewAGL network between the Theodore and Gilmore substations.

(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 the notice is notified.

Ben Ponton  
Chief Planning Executive  
7 November 2017

## Schedule

See section 2(2)

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### ENVIRONMENTAL SIGNIFICANCE OPINION

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

#### APPLICANT

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

#### APPLICATION and DEVELOPMENT PROPOSAL

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

The development proposal is for the replacement of the existing overhead earth wires associated with the ActewAGL 132KV network with a new hybrid aerial cable known as optical ground wire in the section between the Theodore Substation and the Gilmore Substation as described in the submission.

#### LOCATION

Numerous blocks within the Tuggeranong district (as detailed within the application). The lines traverse the Tuggeranong Hill and Melrose Nature Reserves, an area of Special Purpose Reserve along the Monaro Highway (proposed horse paddocks) and Gilmore Special Purpose Reserve (horse paddocks).

#### 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 machinery and vehicles engaged in the stringing operation will be cleaned of soil and plant material prior to entering the reserve.
- Vehicle hygiene will be implemented by those attaching rollers to the poles. Vehicles will be cleaned and be free of any soil or plant material prior to working within the Reserve Estate.
- All access is by existing access track only, and except at the stringing location vehicles will not drive off track.
- Rehabilitation (utilising native grass species) and weed control will occur at the stringing location if bare soil is exposed, or wheel or other rutting occurs
- That Contractor that manages the horse paddocks, Territory Agistment Pty Ltd (phone 6226 5767), is given a minimum of 7 days notice prior to commencement of works.

Attached is a Statement of Reasons for the decision.



Dr Annie Lane  
Conservator of Flora and Fauna

25 October 2017

## STATEMENT OF REASONS REASONS FOR THE DECISION

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

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

The Theodore to Gilmore section of the ActewAGL 132KV transmission network that is subject to these works is approximately 7.1 km in length with 45 poles/towers that support the 132kV transmission line. The line traverses

- Yellow Box-Blakely's Red Gum Grassy Woodland, an ecological community listed as critically endangered under the EPBC and endangered under the NCA.
- Habitat for Pink Tailed Worm Lizard (*Aprasia parapulchella*), a species listed as vulnerable under the provisions of the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC) and the ACT's *Nature Conservation Act 2014* (NCA);

*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 lines traverse the Tuggeranong Hill and Melrose Nature Reserves, an area of Special Purpose Reserve along the Monaro Highway (proposed horse paddocks), and Gilmore Special Purpose Reserve (horse paddocks).

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

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

An adverse environmental impact is ***significant*** if—

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

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

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

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

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

#### **Project description**

The proposal is for the replacement of the existing overhead earth wires associated with the ActewAGL 132KV network with a new hybrid aerial cable known as optical ground wire in the section of the transmission network between the Theodore Substation (located on Block 10 Section 682 Theodore) to the Gilmore Substation (located on Block 15 Section 65 Gilmore). The new hybrid cable is to enable ActewAGL to immediately identify the location of any outage and direct repair crews to the correct location.

The cable is to be upgraded for a distance of approximately 7.1 km between 45 towers/poles. The new cable will be strung using stringing machines located adjacent to the Substations, and on Block 1566 District of Tuggeranong.

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

Each stringing machine requires a work area of approximately 10m<sup>2</sup>. In these locations the stringing machine may require two work areas, depending on the angle of the wire, to ensure each pole is not overloaded with tension. The location of the stringing machine on Block 1566 District of Tuggeranong has been determined based on a combination of Occupational Health and Safety, site accessibility, efficiency, and consideration of environmental concerns and can be micro-aligned to reduce impacts on any ecological values.

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

#### **Documentation Submitted**

- ActewAGL OPGW Maintenance Works – Application for an Environmental Significance Opinion Report – Theodore to Gilmore (Purdon Planning, May 2017);
- Theodore to Gilmore 132kV Powerline Upgrade – Review and Update of the November 2012 Ecological Assessment Report (Capital Ecology 30 March 2016);
- Heritage Advice (Past Traces Heritage Consultants 23 March 2016)
- Heritage Advice (ACT Heritage Council 5 January 2105);
- List of Land Custodians;
- Map of Territory Plan land uses;
- Form 1M.

#### ***Natural conservation values present***

Segment A of the proposal runs from the Theodore Substation (approximately 1.3 km west of the Monaro Highway) through Tuggeranong Hill Nature Reserve and includes Poles 1 to 8.

Segment B runs from the eastern side of the Monaro Highway to Dunns Creek within the Melrose Reserve and includes Poles 9 to 18. Segment C is also within Melsrose Reserve and runs from Dunns Creek to Old Tuggeranong Road (Poles 19 to 22).

Segment D runs from Old Tuggeranong Road to Gilmore Substation (Poles 23 to 45 and the Gilmore Substation) through a cleared section of pine forest and keeps traveling north alongside the ACT-NSW border. The area to the north of the pine forest is an area of unnamed special purpose reserve.

Within Block 1563 District of Tuggeranong, the transmission line then turns north-west, back over the Monaro Highway, and terminates at the Gilmore Zone Substation which lies approximately 280 m west of the Monaro Highway. This section of the line traverses an area of special purpose reserve currently used as Government Horse Paddock.

The report notes that the transmission line in Tuggeranong Hill and Melrose passes through areas of identified patches of the EPBC Act listed endangered ecological community (EEC): White Box – Yellow Box – Blakely’s Red Gum grassy woodland and derived native grassland (Box-Gum Woodland). The majority of the overstorey vegetation has been removed throughout Segments A and B however the groundstorey retains the floristic diversity to satisfy the criteria for the EEC primarily in its derived grassland form.

Pink-tailed Worm-lizard was previously recorded to occur at low to moderate density in a number of small patches of habitat located immediately east of the Theodore substation.

Melrose contains important woodland–open forest reserve bird habitat, which includes a recorded nest tree that may be utilised by the vulnerable Little Eagle (*Hieraaetus morphnoides*); patches of nationally critically endangered Yellow Box–Red Gum Grassy Woodland ; large populations of Swanson’s Silky Pea (*Swansonia sericea*), and Wedge Diuris (*Diuris dendrobioides*), a small population of the vulnerable Pale Pomaderris (*Pomaderris pallida* and a population of the vulnerable Pink-tailed Worm-lizard (*Aprasia parapulchella*).

### **Impact on the Reserve**

There is unlikely to be any long term impacts on the nature reserves as the works are minor in nature and will be undertaken within 1-2 days, access will be on existing tracks and the stringing station will be located within special purpose reserve on an area of mainly exotic pasture. It is unlikely that there will be any impact on any threatened, rare or uncommon species.

One area of Special Purpose Reserve contain Government Horse Paddocks. The Manager of the Horse Paddocks must be consulted to ensure the works will not impact on the day to day management of the paddocks or interfere with owners’ access to their horses.

### **Potentially Significant Environmental Impacts**

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

The biggest concern relates to the potential spread of weeds. This can be reduced by the implementation of the following conditions:

- All machinery and vehicles engaged in the stringing operation to be cleaned of soil and plant material prior to entering the reserves.
- Vehicle hygiene will be implemented by those attaching rollers to the poles. Vehicles will be cleaned and be free of any soil or plant material prior to working within the Reserve Estate.
- All access is by existing access track only, and except at the stringing location vehicles will not drive off track.

- Rehabilitation (utilising native grass species) and weed control will occur at the stringing location if bare soil is exposed, or wheel or other rutting occurs

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.