

Planning and Development (Conditional Environmental Significance Opinion – 11kV Overhead Electrical Distribution Cables, Blocks 2233 and 2249 Jerrabomberra) Notice 2020

Notifiable instrument NI2020–120

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 – 11kV Overhead Electrical Distribution Cables, Blocks 2233 and 2249 Jerrabomberra) Notice 2020*.

2 Conditional Environmental Significance Opinion

- (1) On 5 February 2020, 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 relocation of 11kV overhead distribution cables along Canberra Avenue from Hindmarsh Drive to HMAS Harman.

- (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.

Brett Phillips
Delegate of the planning and land authority
24 February 2020

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

Evoenergy, as represented by Tom Atkins, Environment Officer.

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 relocation of existing 11kV overhead distribution cables along Canberra Avenue from Symonston, to underground cables through to HMAS Harman in Jerrabomberra as described in the submission.

LOCATION

The proposed works follow Canberra Avenue from north of its intersection with Hindmarsh Drive to its intersection with Woods Lane. The specific blocks include:

- Canberra Avenue road verge
- Rural Block 2233 Jerrabomberra
- Rural Block 2249 Jerrabomberra
- Woods Lane road verge

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 in addition to the mitigation contained in the supporting application for an ESO, 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:

1. The Development Application must include details of the methods and disturbance area associated with the removal of existing poles and cables;
2. The CEMP must include weed control at least 18 months after completion of works with a particular focus on African Lovegrass, Chilean Needle Grass and Serrated Tussock which all occur in the general vicinity and could proliferate with disturbance;
3. The CEMP must specify native grass or native grass and native herb restoration of the ground disturbance caused at the pit and haul through works areas designated as numbers 7,8,10,11,12,13, 15 and 16;
4. Vehicles will not travel along, and material will not be stored within the underbored sections of the route. This will reduce the chance of threatened species being squashed and important vegetation disturbed; and
5. The CEMP will seek to ensure that no part of the trench is left open overnight, or if this is unavoidable measures are put in place so that fauna that falls into the trench are able to escape.

Attached is a Statement of Reasons for the decision.



Ian Walker
Conservator of Flora and Fauna

 February 2020

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 subject area contains:

Five species listed as threatened under the *Nature Conservation Act 2014*:

- Grassland Earless Dragon (*Tympanocryptis pinguicolla*)
- Striped Legless Lizard (*Delma impar*)
- Perunga Grasshopper (*Perunga ochracea*)
- Canberra Raspy Cricket (*Cooraboorama canberrae*)
- Golden Sun Moth (*Synemon plana*)

One community listed as endangered:

- *Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT;*

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 proposed works comprises the removal of the existing 11kV overhead distribution cables to be replaced by the installation of underground infrastructure. The route extends for approximately 3 km between Canberra Avenue in Symonston and HMAS Harman in Jerrabomberra. The works will service existing and future customers in the area.

New underground 11kV electrical conduits are to be installed by a combination of underboring and open trenching. The trenches will be approximately 1200 mm wide x 1500 m deep, with underboring utilised in areas of sensitive habitat. Pits of 5 m x 2 m are proposed along the route at intervals of approximately 200 m to 350 m and at all change in direction points.

Documentation Submitted

- Harman 11kV Underground Relocation Project - Application for an Environmental Significance Opinion;
- Layout map and detail;
- Letters of authorisation;
- Form 1M.

Natural conservation values present

The vegetation in the general site area is predominantly native grassland with patches of Natural Temperate Grassland, exotic grassland, and native and exotic amenity plantings.

The area is important habitat for five threatened species listed under the *Nature Conservation Act 2014*:

- Grassland Earless Dragon (*Tympanocryptis pinguicolla*)
- Striped Legless Lizard (*Delma impar*)
- Perunga Grasshopper (*Perunga ochracea*).
- Canberra Raspy Cricket (*Cooraboorama canberrae*)
- Golden Sun Moth (*Synemon plana*)

The vegetation within the road reserve is predominantly exotic, regularly slashed and maintained, and subject to vehicle access and disturbance.

Potentially Significant Environmental Impacts

The proposed route either avoids areas of significant habitat or grassland vegetation or has mitigated the impact by underboring such areas. Most of the trenching is confined to exotic vegetation within highly disturbed road verges with low ecological value.

The removal of the existing poles and cables will remove perching options for potential bird predators, such as magpies and ravens. This will reduce the opportunities of such birds to scan grassland habitat and prey on grassland reptiles and invertebrates, including threatened species known in the area.

Thus, the works are unlikely to significantly impact upon fauna species and may result in reduced predation of threatened species.

Conditions have been included to ensure that works will not increase the spread of weed species and to minimise the likelihood of direct mortality and impacts to threatened species:

1. The Development Application must include details of the methods and disturbance area associated with the removal of existing poles and cables;
2. The CEMP must include weed control at least 18 months after completion of works with a particular focus on African Lovegrass, Chilean Needle Grass and Serrated Tussock which all occur in the general vicinity and could proliferate with disturbance;
3. The CEMP must specify native grass or native grass and native herb restoration of the ground disturbance caused at the pit and haul through works areas designated as numbers 7,8,10,11,12,13, 15 and 16;
4. Vehicles will not travel along, and material will not be stored within the underbored sections of the route. This will reduce the chance of threatened species being squashed and important vegetation disturbed; and
5. The CEMP will seek to ensure that no part of the trench is left open overnight, or if this is unavoidable measures are put in place so that fauna that falls into the trench are able to escape.

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.