

ENVIRONMENTAL SIGNIFICANCE OPINION - Transmission line 1 refurbishment – Upper Tumut to Stockdill 330KV Substations (ESO 202500016)

In accordance with section 140 (4) of the *Planning Act 2023* (the Act), I provide the following environmental significance opinion:

APPLICANT

WSP as represented by Helen Sloane, Senior Associate Environmental Scientist.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 140 (4) 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 refurbishment of Transmission Line 1 from Tumut to Stockdill drive 330 kV substations as described in the submission.

LOCATION	BLOCK	RESERVE
Cotter River	21	Namadgi National Park
Cotter River	11	Lower Cotter Catchment Reserve
Coree	225	Lower Cotter Catchment Reserve

MATTERS TO WHICH THIS OPINION APPLIES

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

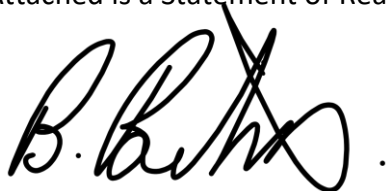
OPINION

Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures 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 s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. All imported material must be certified by the Environment Protection Authority as virgin natural material.
4. The project must implement the Conservator Guidelines for Burrowing animals.
5. The proponent must receive a Nature Conservation Act license to interfere with the nest of a native species prior to any works that may remove hollow bearing trees, stick nests or nests of burrowing animals.
6. The proponent must receive a Nature Conservation Act license to take a protected plant prior to any works that may remove a protected plant species (e.g. *Prasophyllum petilum*)
7. A CEMP must be submitted to the satisfaction of the Conservator prior to the commencement of any work. The CEMP must contain a revegetation/restoration plan endorsed by the ACT Parks and Conservation Service.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'B. Burkevics', followed by a period.

Bren Burkevics
Conservator of Flora and Fauna

4 July 2025

STATEMENT OF REASONS REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – requiring environmental impact statement, being:

Part 1.2, item 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

- (a) a critically endangered species;*
- (b) an endangered species;*
- (c) a vulnerable species;*
- (d) a conservation dependent species;*
- (e) a regionally threatened species;*
- (f) a regionally conservation dependent species;*
- (g) a provisionally listed threatened species;*
- (h) a listed migratory species;*
- (i) a threatened ecological community;*
- (j) a protected native species;*
- (k) a Ramsar wetland;*
- (l) any other protected matter*

Namadgi National Park contains:

Two communities listed as endangered under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*:

- Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT;
- Montane and Subalpine Bog (forming a significant component of the Commonwealth listed Alpine Sphagnum Bogs and Associated Fens).

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

- Northern Corroboree Frog (*Pseudophryne pengilleyi*)
- Two-Spined Blackfish (*Gadopsis bispinosus*)
- Trout Cod (*Maccullochella macquariensis*)
- Macquarie Perch (*Macquaria australasica*)
- Murray River Crayfish (*Euastacus armatus*)
- Hooded Robin (*Melanodryas cucullata*)
- Brown Treecreeper (*Climacteris picumnus*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Little Eagle (*Hieraaetus morphnoides*)
- White-Winged Triller (*Lalage sueurii*)
- Smoky Mouse (*Pseudomys fumeus*)
- Spotted-Tailed Quoll (*Dasyurus maculates*)

Two plant species listed as threatened:

- Baeuerlen's Gentian (*Gentiana baeuerlenii*); and
- Brindabella Midge Orchid (*Corunastylis ectopa*).

The Lower Cotter Catchment Nature Reserve supports habitat for at least 14 species of mammals, 12 species or subspecies of frog, 18 species of reptiles, over 118 species of birds and many native fish species. There are 10 animal species listed as threatened under the *Nature Conservation Act 2014* or under the *EPBC Act 1999*:

- Hooded Robin (*Melanodryas cucullate*)
- Scarlet Robin (*Petroica boodang*)
- White-throated Needletail (*Hirundapus caudacutus*)
- Diamond Firetail (*Stagonopleura guttata*)
- Pilotbird (*Pycnoptilus floccosus*)
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Greater Glider (*Petauroides volans*)
- Smoky Mouse (*Pseudomys fumeus*)
- Northern Corroboree Frog (*Pseudophryne pengilleyi*)
- Macquarie Perch (*Macquaria australasica*)

Part 1.2, item 17 – proposal involving -

- (a) the clearing of more than 0.5ha of native vegetation in a native vegetation area, other than on land in a future urban area; or*
- (b) the clearing of more than 5.0ha of native vegetation in a native vegetation area on land in a future urban area*

The proposal will require clearing of 0.49ha of native vegetation.

Part 1.2, item 18 - proposal for development in a reserve, unless the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014, section 318A;

The proposed works will traverse through areas of Namadgi National Park and the Lower Cotter Catchment Reserve.

Part 1.2, item 25 - proposal that is likely to result in a key threatening process under the Nature Conservation Act 2014

The proposed works involve clearing of a 30m wide corridor which has the potential to cause the unnatural fragmentation of habitat.

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement 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 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, 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

Works are proposed to refurbish the ACT section of transmission line 1 from Upper Tumut to Stockdill 330kV substations. The works are required to ensure a safe clearance from the conductors to the ground to alleviate current low span violations inline with the specified design standards.

The project will involve maintenance, and refurbishment works on the line itself as well as the remediation of access tracks to approximately 7 structures which traverse through Namadgi National Park, Sherwood Forest and the Lower Cotter Catchment River Reserve. Works are to include:

- Re tensioning of conductors.
- D-String/ V- String remediation.
- Earthing at structure 238.
- Earthworks and landscaping between structures 238-239 to achieve minimum height clearance.

- Construction of benches at the base of six structures to facilitate the safe operation of construction equipment including elevated work platforms or cranes.
- Two brake and winch sites, one between the span of structures 237-238 and one between the span of structures 239-240 for the re-stringing of conductors.
- Leg drainage at structure 239.
- Establishment of minor new access tracks to brake and winch sites and remediation of existing access tracks as required.
- Vegetation maintenance at the base of the structure and within the easement for brake and winch sites. This will include slashing, pruning and removal of overgrown vegetation and one tree as required.

Documentation Submitted

- WSP Report – ESO application and associated Ecological Assessment
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

Works will traverse along the Lower Tumut to Stockdill 130kV transmission line which runs through Namadgi National Park and the Lower Cotter Catchment Reserve.

The broader environment in these areas support a large range of important habitat for threatened fauna, flora and ecological communities including areas of remnant native woodland.

There are at least 35 species of mammals, 14 species or subspecies of frog, over 41 species of reptiles, four native fish species and over 130 species of birds recorded in Namadgi National Park, of which 7 species listed as threatened have the potential to occur within the proposed works areas including:

- Striped Legless Lizard (*Delmar impar*)
- Scarlet Robin (*Petroica Boodang*)
- Southern Whiteface (*Aphelocephala leucopsis*)
- Hooded Robin (*Melanodryas cucullata*)
- Smoky Mouse (*Pseudomys fumeus*)
- Southern Brown Bandicoot (*Isodon Obesulus*)
- Spotted-Tailed Quoll (*Dasyurus maculates*)

The works areas also support potential habitat for threatened fauna species such as Button Wrinklewort, Silky Swainson-Pea and one endangered Orchid species *Prasophyllum petilum*.

The Lower Cotter Catchment reserve provides an important wildlife movement corridor linking the northern part of Namadgi National Park with the Murrumbidgee River. The reserve contains the lowest elevation bog and fen wetlands in the region. Several rare and threatened plants occur in the area, and the Cotter River and reservoir support populations of threatened aquatic fauna.

At least 14 species of mammals, 12 species or subspecies of frog, 18 species of reptiles, over 118 species of birds and many native fish species have been recorded in the Lower Cotter Catchment Nature Reserve. There are 10 animal species listed as threatened under the *Nature Conservation Act 2014* or under the *EPBC Act 1999*:

- Hooded Robin (*Melanodryas cucullate*)
- Scarlet Robin (*Petroica boodang*)
- White-throated Needletail (*Hirundapus caudacutus*)
- Diamond Firetail (*Stagonopleura guttata*)
- Pilotbird (*Pycnoptilus floccosus*)
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Greater Glider (*Petauroides volans*)
- Smoky Mouse (*Pseudomys fumeus*)
- Northern Corroboree Frog (*Pseudophryne pengilleyi*)
- Macquarie Perch (*Macquaria australasica*)

The immediate area of the works is mapped as Rosenberg's Monitor habitat (*Varanus rosenbergi*), which is an uncommon species.

Sherwood Forest is subject to a Special Purpose Reserve overlay and sits within the Blue Range Recreation Area located within the Lower Cotter Catchment area. The Reserve protects the historical significance of the site and the natural environment. The Reserve provides habitat for a number of native species including one bird species listed as Vulnerable under the *Nature Conservation Act 2014* - Varied Sittella (*Daphoenositta chrysopter*).

Potentially Significant Environmental Impacts

Although the works traverse through Reserve areas and Namadgi National Park, the sites proposed for the refurbishment work are largely located within the existing and previously disturbed transmission line easement. Some native understorey does exist in these areas and there is a small patch of Native Woodland in the south of the easement, however, the impact areas for each structure are small (20m x 20m) and will be kept to the already disturbed and previously cleared 30m easement area, avoiding impacts to the Native Woodland patch.

No threatened ecological communities were recorded within the works areas and the highly disturbed nature of the easement area where works are to occur compared to

the many features offered by the surrounding National Park and Reserve areas make it unlikely the area is providing any habitat features for local fauna species and the works will not cause the unnatural fragmentation of habitat.

One threatened orchard species *Praspphyllum spp* is known to exist within a 30m radius of Structure 214, however, impacts to the species are mitigated by the plan to install temporary fencing marking an appropriate buffer around the habitat area. Pre-works surveys will also be conducted in October to determine presence of any additional threatened flora species and implement the required mitigation measures. If any threatened species are discovered incidentally all works will cease and only recommence once impacts can be assessed and appropriate control measures implemented.

Access track vegetation clearance for both the existing and the two new tracks will be limited to the minimum required for safe access and kept to areas previously cleared to provide access to the transmission line. No mature native trees will be removed, with the removal of only one small native tree required. Clearing protocols will be implemented and will include clearly marked flagging to prevent over clearing. Brake and winch sites will be kept to areas of existing disturbance or exotic shrubland to minimise impacts to native vegetation and where possible earthworks landscaping will be kept to areas dominated by blackberry to further avoid areas of native vegetation.

The largest remaining risk of these works is the potential for the spread of weeds. The easement area where works are occurring has been highly degraded by weed invasion caused by previous maintenance works. The ESO application includes appropriate weed and pathogen hygiene conditions to minimise this risk and declared pest plants in the works area will be controlled prior to any further earthworks commencing. Wherever practicable on-site spoil material will be used to limit the need for importation of fill, and a condition has been added to the ESO to ensure any spoil bought in is virgin natural material to further minimise the risk of introducing weeds to the site.

Conditions have been included to ensure that works have a minimal impact to the surrounding environment and reduce the risk of weed spread created by the works.

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. All imported material must be certified by the Environment Protection Authority as virgin natural material.

4. The project must implement the Conservator Guidelines for Burrowing animals.
5. The proponent must receive a Nature Conservation license to interfere with the nest of a native species prior to any works that may remove hollow bearing trees, stick nests or nests of burrowing animals.
6. The proponent must receive a Nature Conservation license to take a protected plant prior to any works that may remove a protected plant species (e.g. *Prasophyllum petilum*)
7. A CEMP must be submitted to the satisfaction of the Conservator prior to the commencement of any work. The CEMP must contain a revegetation/restoration plan endorsed by the ACT Parks and Conservation Service.

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.