

# Planning and Development (Environmental Significance Opinion – Block 1639, Belconnen – Installation of Water Monitoring Equipment) Notice 2018

Notifiable instrument NI2018–647

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 (Environmental Significance Opinion – Block 1639, Belconnen – Installation of Water Monitoring Equipment) Notice 2018*.

## 2 Environmental Significance Opinion

- (1) On 23 October 2018, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant an environmental significance opinion in relation to construction, on Block 1639, Belconnen, of streamflow monitoring equipment and a water quality auto sampler.
- (2) In this section:

***Environmental significance opinion*** means the opinion in the schedule.

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

Ben Ponton  
Chief Planning Executive  
15 November 2018

## **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**

Sentinel Pty Ltd, as represented by Rod Clapman, Business Services 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 installation of a streamflow and water quality monitoring station as described in the submission.

### **LOCATION**

Block 1639 District of Belconnen

### **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 application, they are unlikely to cause a significant adverse environmental impact.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

23 October 2018

## 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 works are close to:

- habitat for the Pink Tailed Worm Lizard (*Aprasia parapulchella*), a species listed as vulnerable under the provisions of the *Nature Conservation Act 2014* (NCA) and the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC); and
- Natural Temperate Grassland, a community listed as critically endangered pursuant to the EPBC Act and endangered pursuant to the NC Act.

A pair of Little Eagles (*Hieraaetus morphnoides*), listed as vulnerable under the NC Act (but not listed nationally), is likely to include the area within a larger territory.

*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 works are within an area of nature reserve.

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 any conditions attached to this ESO.

### **Project description**

The installation of streamflow monitoring equipment and a water quality auto sampler on a natural basalt rock bar within an unnamed ephemeral creek adjacent to the Ginninderry development area.

The monitoring equipment will be housed in a weather-proof lockable cabinet 1600mm high, 600mm wide and 600mm deep, mounted on a concrete slab approximately 1m<sup>2</sup>. The station will be battery powered with a solar panel to recharge the battery.

The station will be constructed offsite and transported to the site utilising a Toro mini-loader, a rubber tracked, walk-behind machine (approx. 1200mm high, 900mm wide and 1800mm long) specifically designed for small-scale operations. The use of this vehicle will minimise disturbance to existing flora and grassland areas.

Pipes housing the sensor and sampling lines will be bolted to the rock using saddles and rock bolts.

### **Documentation Submitted**

- ESO Report;
- Site Information Report ;
- Report on overall project;
- Form 1M.

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

The unnamed ephemeral creek flows in a westerly direction from the Strathnairn Arts Centre Precinct, through open woodland and grasslands (some of which is classified as Box Gum Woodland and Native Temperate Grassland of high conservation value, including habitat for the Pink-tailed Worm Lizard) before flowing directly into the Murrumbidgee River.

The area surrounding the site chosen for the installation is heavily degraded, and weed-infested with blackberries and thistles. The slope is very steep and there is very little loose rock present at the site, hence there is minimal habitat for Pink-tailed Worm Lizard.

The flora values for the site are very low with the report noting “~50% bare ground which is a function of both the bedrock and slope of the site along with being heavily overgrazed by cattle and other fauna (feral deer were observed during survey). Indeed, the area was categorised as ‘depauperate native pasture’ in 2017 (SMEC 2017 - Riverview Vegetation Assessment Map). Within the watercourse there is evidence of erosion and pugging by cattle. The lack of biodiversity, few species of ecological significance and poor connectivity to areas of higher ecological value render this location to be of low ecological value.”

### **Impact on the Reserve**

The chosen location for the installation is outside any areas of identified key habitat for threatened species. There is a lack of riparian zone habitat i.e. mid-storey or overstorey, making it unlikely that the site has significant connectivity values.

There will be a minor visual impact to the reserve, however this area is not currently subject to visitor use.

### **Potentially Significant Environmental Impacts**

It has been determined that provided the works are undertaken in a manner consistent with the documentation submitted with the ESO, they are unlikely to cause a significant adverse environmental impact.