

Planning and Development (Environmental Significance Opinion – Block 27, Section 375 Macarthur; Block 4, Section 682 Theodore; and Block 1, Section 65 Bonython – ICON Water Infrastructure Access and Safety Upgrades) Notice 2018

Notifiable instrument NI2018–679

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 (Environmental Significance Opinion – Block 27, Section 375 Macarthur; Block 4, Section 682 Theodore; and Block 1, Section 65 Bonython – ICON Water Infrastructure Access and Safety Upgrades) Notice 2018*.

2 Environmental Significance Opinion

- (1) On 19 November 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, on Block 27, Section 375 Macarthur; Block 4, Section 682 Theodore; and Block 1, Section 65 Bonython, in relation to the replacement of existing access and upgrades to safety infrastructure.

- (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
4 December 2018

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

Canberra Town Planning, as represented by Kip Tanner, Director.

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 implementation of the Icon Water Working at Height Improvements Program as described in the submission.

LOCATION

Macarthur Block 27 Section 375 – Wanniasa Hills Nature Reserve
Theodore Block 4 Section 682 – Tuggeranong Hill Nature Reserve
Bonython Block 1 Section 65 – Mt Stranger, Murrumbidgee River Corridor

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 submitted documentation, 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

19 November 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 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 work sites are all within nature reserves being Wanniasa Hills Nature Reserve, Tuggeranong Hill Nature Reserve, and Mt Stranger, Murrumbidgee River Corridor.

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 replacement of existing access and safety components such as covers/hatches, ladders and handrails at six water or sewer infrastructure sites to comply with current occupational health and safety requirements. Works include:

- Replacement of existing access hatches
- Installation of new inclined rung ladders
- Removal of excess chambers to provide suitable freeboard
- Replacement of existing covers
- Installation of fixed stanchions
- New concrete slab landings

Documentation Submitted

- ESO Application Submission Report, Icon Water CX11013 Working at Heights Improvement Program (Canberra Town Planning);
- Site Management Agreement;
- Schedule of Sites;
- Site Plan
- Concept Designs;
- Form 1M.

Natural conservation values present

While all the sites are within nature reserves, the sites are leased to Icon Water for manage / maintain their public utility assets. All of the sites are cleared and surrounded by man-proof fences. Most of the sites feature compacted/crushed gravel. They have no ecological values left and the sites are not used for connectivity for any species.

Impact on the Reserve

The works are minor in nature and minimal ground disturbance will be required to undertake the works. In the most part there will no additional visual impact as the works are replacing existing features with new features that meet current occupational health and safety requirements. Some works, like the installation of new inclined rung ladders or a new concrete pad, may be visible but as all the assets are protected by man-proof fences, this impact will be negligible.

Access to all sites is on existing access tracks, and parking of vehicles or machinery will be within the existing leased areas.

Potentially Significant Environmental Impacts

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