

Planning and Development (Conditional Environmental Significance Opinion – Block 2, Section 2, Casey – Mobile Telecommunications Facility) Notice 2021

Notifiable instrument NI2021–441

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 – Block 2, Section 2, Casey – Mobile Telecommunications Facility) Notice 2021*.

2 Commencement

This instrument commences on the day after its notification day.

3 Conditional environmental significance opinion

- (1) On 9 June 2021, 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 installation, on Block 2, Section 2, of Casey, of a 30m high telecommunications monopole, ground-based equipment units, and a fenced compound for a new Optus mobile telecommunications facility.

- (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.

George Cilliers
Delegate of the planning and land authority
16 July 2021

Schedule

See section 3(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

Stilmark Holdings, as represented by Chris Hayes, Town Planner.

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 30m high telecommunications monopole, ground based equipment units, and a fenced compound for a new Optus mobile telecommunications facility as described in the submission.

LOCATION

Block 2, Section 2 Casey, near to Edna Thompson Crescent, Casey

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 s138AB(4) of the Act:

1. Works are limited to the existing fenced area and vehicle/material storage, parking or access will not encroach into the Nature Reserve.

2. Prior to entering the development area and reserve vehicles and machinery must be cleaned and free of any plant material or soil.
3. No works are to occur on days of Total Fire Ban, when the Fire Danger Index exceeds 30, or when the ground is wet and boggy.
4. Any disturbed soil will be reseeded using dryland seed mix.

Attached is a Statement of Reasons for the decision.



Ian Walker
Conservator of Flora and Fauna

9th June 2021

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 in a 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 the conditions attached to this ESO.

Project description

The proposed telecommunications facility off Edna Thompson Crescent is comprised of the following:

- The construction of a new 30 metre high monopole;
- The installation of six (6) panel antennas on a headframe;

- The installation of twelve (12) remote radio units (RRU's) behind the proposed antennas;
- The installation of equipment units to house electrical equipment; and
- The installation of power to the proposed site compound.

The proposed monopole will be constructed of steel, and be grey in appearance, as will the associated antennas and equipment on the pole itself. Equipment will be of non-reflective finishes. The equipment units are proposed to be coloured 'eucalypt green' to blend with the surrounding fencing and vegetation.

Documentation Submitted

- General Drawings by Avisford Consulting Site ID: AC2913-001
- Application for an Environmental Significance Opinion, prepared by Stilmark Holdings in partnership with Optus Mobile Pty Ltd;
- Form 1M.

Natural conservation values present

The propose site location utilises a previously disturbed and cleared parcel of land that is already fenced and separated from the surrounding landscape and environment. There are few nature conservation values present in the area.

Impact on the Reserve

The development consists of a small number of elements within the Nature Reserve:

- A fenced compound: a wire security fence, which is encapsulated within an existing fenced access track.
- A monopole and equipment units: these elements will require a footing to be dug into the earth. Again, this will occur within an existing fenced access track/access easement.
- Electrical and telecommunications pits: these pits are dug into the existing access track/access easement.

The elements noted above are all to be sited within the existing access track and access easement utilised by the water corporation responsible for the ownership of the adjacent water reservoir. The existing earth has been previously disturbed and developed upon for the uses of the water storage facility, electricity supply lines, and for the existing access track to the water reservoir.

Environmental impacts of a mobile telecommunications base station development are from the initial construction whereby it may be necessary to disturb virgin earth and/or remove trees, vegetation, or be sited within an area that is home to endangered flora or fauna; and visual impact: whereby a proposed facility may require a large, bulky structure of significant height.

In this instance, the proposed facility will be sited on a portion of land that has been previously disturbed, and there is no requirement for tree or vegetation removal. The facility is also not proposed to be sited in an area that is home to, or that will impact, endangered flora or fauna. Construction of the proposed mobile telecommunications facility will not degrade the existing ground surface or change the surrounding area to any significant degree.

While being listed as within a nature reserve, the development site itself is not significant in maintaining any processes or natural systems of the ACT. The proposed development site is previously disturbed land that is currently utilised as a fenced access easement and access track.

Potentially Significant Environmental Impacts

The site has been well chosen to avoid any more than minor clearance of disturbed vegetation. The proposal includes weed and pathogen hygiene conditions as well as additional conditions to protect the Nature Reserve from the spread of weeds and impacts from erosion and sedimentation:

1. Works are limited to the existing fenced area and vehicle/material storage, parking or access will not encroach into the Nature Reserve.
2. Prior to entering the development area and reserve vehicles and machinery must be cleaned and free of any plant material or soil.
3. No works are to occur on days of Total Fire Ban, when the Fire Danger Index exceeds 30, or when the ground is wet and boggy.
4. Any disturbed soil will be reseeded using dryland seed mix.

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.