

# Planning and Development (Conditional Environmental Significance Opinion – Blocks 470, 502 and 504, Stromlo – Cotter Pumping Station improvement works) Notice 2022 (No 2)

Notifiable instrument NI2022–527

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 (Conditional Environmental Significance Opinion – Blocks 470, 502 and 504, Stromlo – Cotter Pumping Station improvement works) Notice 2022 (No 2)*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 31 May 2022, 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 construction of a new pump station building, installation of three new pumps and associated pipework on Blocks 470, 502 and 504, Stromlo.

- (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.

Craig Weller  
Delegate of the planning and land authority  
17 October 2022

## **Schedule**

**See section 3(2)**

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### **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**

Icon Water, as represented by Mr Henry Grogan, Senior Environmental 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 improvement works at the Cotter Pumping Station as described in the submission.

#### **LOCATION**

The works are to be undertaken at the existing Cotter Pumping Station, on Blocks 470, 502 and 504, District of Stromlo.

#### **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 condition 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 condition made under s138AB(4) of the Act:

- No work that may produce sparks is to be undertaken on site when a Total Fire Ban is declared or on a given day when the Fire Danger Index exceeds 25.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

31 May 2022

## 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 area of works has a Special Purpose Reserve overlay.

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 condition attached to this ESO.

### **Project description**

The works involve the construction of a new pump station building and installation of three new pumps and associated pipework. The works are required to increase the reliability, maintainability and energy efficiency of Cotter Pump Station.

Specific works include:

- Demolition of an existing pump building and removal of footings
- Demolition of existing power, communication and water lines to an existing pump and replacement to the new building
- Protection of services under proposed hardstand
- Demolition of various concrete structures (retaining and head walls, bitumen pavements)
- Construction of a new building and installation of pumps and associated infrastructure
- Installation of surrounding hardstand areas
- Revegetation of disturbed areas

#### **Documentation Submitted**

- CX11266 – Cotter Pumping Station Improvements - supporting documentation for the application for an Environmental Significance Opinion;
- Application Form
- Letter of Authorisation.

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

The location for installation of the new pumps and house is highly disturbed and consists of a mulched landscaped slope, associated with the construction of the Stony Tank, and an asphalt road leading out of the site. The area surrounding the proposed pump station is a manicured grassed area, with garden beds surrounding the existing historical pump house. Around the periphery of the fence line, there is a scattering of mature trees, juvenile regrowth and planted eucalypts.

Tree species observed around the site included Blakely's Red Gum (*Eucalyptus blakeyi*), Yellow Box (*Eucalyptus melliodora*), and River she-oak (*Casuarina cunninghamiana*). While Box Gum Woodland and Natural Temperate Grassland have the potential to occur in the area, the surveys undertaken indicate that the vegetation does not meet the requirements of endangered grassland or box gum communities due to the lack of native ground cover species and high cover of broad leaf weeds such as Blackberry. It does, however, provide habitat for common bird species. While Murrumbidgee bossiaea (*Bossiaea grayi*) also has the potential to occur, the species was not found during a walkover of the site.

Rosenberg's monitor (*Varanus rosenbergi*) and pink-tailed worm-lizard (*Aprasia parapulchella*) have the potential to occur in the area, however there are no associated termite mounds and only limited amounts of surface rock, so they are unlikely to be present.

**Impact on the Reserve and Potentially Significant Environmental Impacts**

The works are occurring within a highly disturbed site and will not impact on significant ecological values. No trees are to be removed and there will be only minimal vegetation disturbance, mostly of established garden beds.

Erosion and sediment controls will be in place to avoid any runoff into waterways.

A condition has been included to ensure that works, and ongoing management of the tanks, will not increase the likelihood of bushfire:

- No work that may produce sparks is to be undertaken on site when a Total Fire Ban is declared or on a given day when the Fire Danger Index exceeds 25.

It has been determined that if the works are undertaken in a manner consistent with the above condition 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.