

# Planning and Development (Conditional Environmental Significance Opinion – Block 1, Section 124, Weston – Woden Valley Trunk Sewer) Notice 2017

Notifiable Instrument NI2017–153

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 – Block 1, Section 124, Weston – Woden Valley Trunk Sewer) Notice 2017*.

## 2 Conditional Environmental Significance Opinion

- (1) On 9 March 2017, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to installation of an air induct structure at the site of an existing valve pit cover located on the underground tank sewer main at Block 1, Section 124, Weston.
- (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 this notice is notified.

Dorte Ekelund  
Chief Planning Executive  
28 March 2017

## **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 Lara Odell, Coordinator Approvals and Catchment Protection.*

### **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 ventilation structure to allow ventilation of the Woden Valley Trunk Sewer to protect the sewer from the effect of corrosive gases as described in the submission.

### **LOCATION**

Block 1 Section 124 Weston

### **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 following conditions, 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.

- That a Construction Environment Management Plan is approved by the Environment Protection Authority prior to commencement of construction,

Attached is a Statement of Reasons for the decision.



Dr A. Lane  
Conservator of Flora and Fauna

9 March 2017

## 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 site of the proposed works is within an area of special purpose 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 installation of an air induct structure at the site of an existing valve pit cover located on the underground trunk sewer main. The air induct structure will allow ventilation of the Woden Valley Trunk Sewer to protect the integrity of the sewer from corrosive gases.

## **Documentation Submitted**

- Environmental Assessment Report Proposed Development Truck Sewer Air Duct Construction (Icon Water 23 February 2017);
- Form 1M.

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

The site of works is the existing valve pit cover which is situated approximately 50 metres upslope of the Molonglo River. The vegetation at the location of the works is dominated by Blackberry and broadleaf weeds. A site visit by the proponent's ecologists in January 2017 observed common fauna including macropods and woodland birds within the area.

There is no known habitat of threatened fauna in the vicinity of the works, although mapped Pink Tailed Worm Lizard (*Aprasia parapulchella*) habitat is situated about 200m from site.

## **Impact on the Reserve**

The works will not impact on any threatened flora and fauna.

The works proposed are minor in nature and the area of works is of low ecological value dominated by weeds. The new infrastructure is to be placed on top of existing built infrastructure, being a valve cover servicing the existing sewer line. A small area will need to be cleared of weedy vegetation to allow for construction.

Soils in the general area were investigated in 2012 by the Sydney Soils and Environment Lab on behalf of the Parks and Conservation Service, and they determined that the subsoil is highly dispersive and susceptible to erosion. Care will need to be taken to protect the nearby Molonglo River from erosion impacts.

A site visit by the proponent's ecologists in January 2017 determined that the general area shows no recent history of mowing apart from adjacent to the nearby sealed foot path, and determined that the area would not be commonly used as recreational open space.

The new infrastructure is relatively small and unobtrusive so the visual impacts on the reserve will be minor.

### **Potentially Significant Environmental Impacts**

There are no potentially significant environmental impacts with the proposed works.

As the site is relatively close to the Molonglo River a Construction Environment Management Plan should be submitted detailing how the works will avoid and minimise any potential impacts of erosion and sediment entering the river, including the stabilisation of any disturbed soil.

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