

Planning and Development (Environmental Significance Opinion - Glendale Depot and Namadgi Visitors Centre) Notice 2011 (No 1)

Notifiable instrument NI2011-778

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 – Glendale Depot and Namadgi Visitors Centre) Notice 2011 (No 1)*.*

2 Commencement

This instrument commences on the day after notification.

3 Environmental Significance Opinion

An Environmental Significance Opinion has been prepared by the Conservator of Flora and Fauna.

The text of the opinion is shown at Annexure A.

4 Completion

The environmental significance opinion and the notice including the text of the opinion expire 18 months after the day the notice is notified.

David Papps
Planning and Land Authority

9 December 2011

*Name amended under Legislation Act, s 60



DEPARTMENT OF
THE ENVIRONMENT,
CLIMATE CHANGE,
ENERGY AND WATER



Mr Neil Savery
Chief Planning Executive
ACT Planning and Land Authority
Dame Pattie Menzies Building
DICKSON ACT 2602

Dear Mr Savery ^{Neil}

This is to advise of my decision, under s.138AB(4) of the *Planning and Development Act 2007*, on the request for an environmental significance opinion for the proposed decommissioning of underground fuel storage tanks at the Glendale Depot and Namadgi Visitors Centre (by filling with an inert material or removal of the tanks); and removal of the bowsers and vent pipes.

The proposal is not likely to have a significant adverse environmental impact as the works are on previously disturbed land within the existing depot areas.

Please find attached the Environmental Significance Opinion and a Statement of Reasons for the decision.

Yours sincerely

David Papps
Conservator of Flora and Fauna

13 May 2011



DEPARTMENT OF
THE ENVIRONMENT,
CLIMATE CHANGE,
ENERGY AND WATER

ENVIRONMENTAL SIGNIFICANCE OPINION

In accordance with section 138AB(4) of the *Planning and Development Act 2007*, I provide the following environmental significance opinion:

PROPONENT

Mr Ted Steatfeld, Resolution Planning.

LOCATION

Block 41 District of Booth (Glendale Depot); and
Block 363 District of Paddys River (Namadgi Visitor's Centre)

DEVELOPMENT PROPOSAL

Decommissioning of underground fuel storage tanks at the Glendale Depot and Namadgi Visitors Centre by filling with an inert material or removal of the tanks; and removal of the bowsers and vent pipes.

The development proposal is mentioned in Schedule 4, part 4.3, item 3, being development on land reserved under s. 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve.

Block 41 District of Booth (Glendale Depot) is within the area reserved for the Namadgi National Park. Block 363 District of Paddys River (Namadgi Visitor's Centre) is an area reserved as 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 for an environmental significance opinion to that effect.

OPINION

The proposal is not likely to have a significant adverse environmental impact provided works are undertaken in accordance with the requirements of the Environment Protection Authority and the Office of Regulatory Services.

MANNER IN WHICH DEVELOPMENT PROPOSAL MUST BE UNDERTAKEN:

That all works are in accordance with the requirements of the Environment Protection Authority and the Office of Regulatory Services to ensure containment of any accidental spills and the safe removal of any remaining fuel and flushing liquids from the reserve areas.

Attached is a Statement of Reasons for the decision.



David Papps
Conservator of Flora and Fauna

13 May 2011

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 (a) schedule 4,

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, unless the Conservator of Flora and Fauna produces an environmental significance opinion that the proposal is not likely to have a significant adverse environmental impact.

The proposed works are located within an area of National Park (Glendale Depot) and Special Purpose Reserve (Namadgi Visitor's Centre).

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 for an environmental significance opinion 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.

Project description

Decommissioning of underground fuel storage tanks by filling with an inert material or removal of the tanks; and removal of the bowsers and vent pipes.

The tanks are located at the management depots and are located on previously disturbed land.

Documentation Submitted

Scope of works and measures to avoid and minimise impacts on conservation values.

Tank integrity testing.

Aerial photographs showing the location of the fuel tanks demonstrating that the tanks are located within hard stand areas.

Natural conservation values present

Nil. The areas the subject of the development proposal are within the existing depots and are hard stand areas constructed for the purpose of containing any fuel spills during the operation of the depots.

Impact of development on these values (including offsite impacts)

Not applicable. The potential for off site impacts are negated by the requirement of the Environment Protection Authority that the area be contained by silt fencing and that all fuel and flushing compounds be removed from site within sealed drums.

Decommissioning of the tanks and the removal of any substances will be in accordance with the *Dangerous Substances (General) Regulation 2004* and overseen by the Office of Regulatory Services.

Has the proponent demonstrated that all reasonable measures have been taken to avoid, minimise and as a last resort offset impact?

Yes. All works will be in accordance with the requirements of the Office of Regulatory Services requirements and the Environment Protection Authority in regards to the decommissioning of the tanks and removal of any substances.

Potentially Significant Environmental Impacts

Nil.