

Australian Capital Territory

# Planning and Development (Environmental Significance Opinion - Block 1633 and 1635 Tuggeranong - Royalla Solar Facility Geotechnical Investigation) Notice 2013

Notifiable Instrument NI2013–113

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 (Environmental Significance Opinion - Block 1633 and 1635 Tuggeranong - Royalla Solar Facility Geotechnical Investigation) Notice 2013*.

## 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.

A copy of the opinion may be obtained from ACTPLA's website:

[http://www.actpla.act.gov.au/topics/design\\_build/da\\_assessment/environmental\\_significance\\_opinions](http://www.actpla.act.gov.au/topics/design_build/da_assessment/environmental_significance_opinions)

## 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.

Ben Ponton

Environment and Sustainable Development Directorate

07 March 2013



**ACT**  
Government

Environment and  
Sustainable Development

Mr Ben Ponton  
A/g Chief Planning Executive  
ACT Planning and Land Authority  
Dame Pattie Menzies Building  
DICKSON ACT 2602

Dear Mr Ponton

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 on the geotechnical investigation works to inform the alignment of the underground electricity grid connection for the proposed Royalla Solar Farm.

The proposal is not likely to have a significant adverse environmental impact on land reserved under s. 315 for the purpose of wilderness area, national park, nature reserve or special purpose reserve.

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

Yours sincerely

Penny Farnsworth  
Conservator of Flora and Fauna

**22** February 2013



**ACT**  
Government

Environment and  
Sustainable Development

## **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 Christopher Tanner, Environmental Engineer, CBRE (V) Pty Ltd

### **LOCATION**

The rural property known as 'Bellview', Blocks 1633 and 1635 District of Tuggeranong, part of which is within the area of Canberra Nature Park known as 'Rob Roy Nature Reserve'.

### **DEVELOPMENT PROPOSAL**

FRV Royalla Solar Farm Pty are proposing the construction of a 20MWac photovoltaic power generation facility and the associated connection to the electricity grid consisting of underground 11kv power lines connecting to ActewAGL's Theodore substation.

To inform the exact alignment of the underground electricity grid connection, a geotechnical investigation is required along the route to determine the extent and depth of rock in the area, and must be completed prior to lodgement of the Development Application for the solar farm.

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 that works are undertaken in accordance with the conditions listed below.

**MANNER IN WHICH DEVELOPMENT PROPOSAL MUST BE UNDERTAKEN:**

1. Any top soil on the pit sites should initially be put to one side and finally replaced on top of the other infill material.
2. Any disturbed area will be revegetated following the activity using biodegradable mesh to hold the soil in place and a mix of sterile rye corn and native seed (utilising grass species and, if available, pioneer herb species local to Rob Roy Nature Reserve).
3. If subsequent washout or channelling of work areas occurs, the proponent will make good the damage and rectify the eroded areas to the satisfaction the Parks and Conservation Service.

Attached is a Statement of Reasons for the decision.



Penny Farnsworth  
Conservator of Flora and Fauna

22 February 2013

**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,

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.

The works are within an area reserved as public land nature reserve, the Rob Roy Nature 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 (ESO) 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 and known values of the sites provided that all works are in accordance with the conditions as imposed.

### **Project description**

The works will consist of up to seven test pits for the purpose of geotechnical investigations. Four of these pits are within the Nature Reserve Area. The documentation submitted with the ESO application describes the work as:

- A 13 tonne excavator with rubber tracks will be used to dig and backfill the pits;
- The pits will be approximately 3 metres long and 0.6 metres wide. They will be dug to a depth of 3 metres unless prior refusal occurs on rock or other very dense material;
- The excavated soil and weathered rock will be stockpiled close to the test pit while it is open for observation and logging. The pits provide the opportunity to observe the soil profile, weathered rock, rock excavation characteristics and undertake in-situ testing. Soil samples taken from the test pits will be tested in a NATA accredited laboratory;
- Dynamic cone penetrometer (DCP) tests will be carried out beside the test pits. The DCP uses a hand held drop weight hammer that drives a 15mm diameter probe into the ground to assess soil density or stiffness;
- Test pits will be backfilled with spoil and tamped in layers using the excavator bucket. Excess soil will be mounded over the test pit at the surface to allow for potential settlement.

### **Documentation Submitted**

Reports titled:

- Request for an ESO Geotech Investigation Royalla Solar PV Generating Facility (CBRE, February 2013);
- Royalla 1 Solar Power Generating Facility – Targeted surveys along proposed underground power cable route (Biosis November 2012);
- Fine-scale Ecological Mapping and Targeted Survey Results (Biosis Research);
- Targeted Survey Locality Plan);
- Geotech Test Pit Location Plan
- Plan showing proposed locations for geotechnical test pits;
- Referral decision under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999* by the Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

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

Some areas in the immediate vicinity of the works have been identified as being moderately modified Yellow-box Red-gum Grassy Woodland and likely Pink-tailed Worm-lizard habitat. However, all works will be confined to areas identified as

disturbed in the ecological survey. These areas are devoid of native vegetation and would not provide important habitat to any native species.

**Potentially Significant Environmental Impacts**

It is considered that the geotechnical investigations for the Royalla solar pv generating facility will not have a significant adverse environmental impact as the pits will be located on what is currently disturbed soil, away from any significant plant species, woodland or pink-tailed worm lizard habitat, and all pit sites are readily accessible from the existing track.