

# Planning and Development (Conditional Environmental Significance Opinion – Block 4 Section 64 Bonython – Telecommunications Facility Upgrade) Notice 2018

Notifiable Instrument NI2018–106

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 4 Section 64 Bonython – Telecommunications Facility Upgrade) Notice 2018*.

## 2 Conditional Environmental Significance Opinion

- (1) On 30 January 2018, 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 for Block 4 Section 64, Division of Bonython, for the upgrade and extension of an existing telecommunications facility.
- (2) In this section:  
***Conditional environmental significance opinion*** means the opinion in the schedule.

*Note 1:* 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.

Ben Ponton  
Chief Planning Executive  
23 February 2018

## Schedule

See section 2(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

Axiom Pty Ltd, as represented by Joanna Ward, 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 a 2.6m extension to an existing telecommunications tower located in Mt Stranger Special Purpose Reserve as described in the submission.

#### LOCATION

Block 4 Section 64 Bonython, Mt Stranger Special Purpose Reserve within the Murrumbidgee River Corridor.

#### MATTERS TO WHICH THIS OPINION APPLIES

This opinion applies only the development proposal as described in the application.

#### OPINION

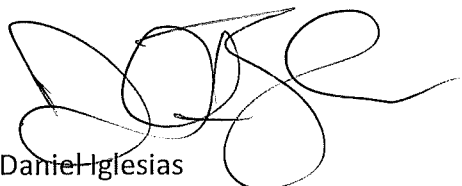
Provided the works are undertaken in the manner consistent with the following conditions, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under s138AB(4) of the Act.

- all vehicles and machinery be cleaned down prior to entering or leaving the site
- works must cease in wet conditions to prevent rutting or bogging of vehicles causing damage to the access road or surrounds

- Any damage to fences or the ground is to be made good to the satisfaction of the Parks and Conservation Service.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'Daniel', with a stylized, looping flourish extending to the right.

Daniel Iglesias  
Conservator of Flora and Fauna

30 January 2018

## 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 works are within an area of the Murrumbidgee River Corridor that has a special purpose reserve overlay in the Territory Plan.

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 works are to install a 2.6m extension on an existing telecommunications tower and associated upgrading of ground equipment to enhance the mobile network in the surrounding area.

**Documentation Submitted**

- Site Specifications (Mobile Network Australia Site No: S0615 Tuggeranong);
- Overall Site Plan;
- Site Layout and Setout Plan;
- Site Elevation;
- Form 1M.

***Natural conservation values present***

The tree vegetation in this area of the reserve is planted species as part of the 1984 NCDC forward planting. The species are mixed, local native eucalyptus woodland from 3.0m to 20.0m in height.

The understorey is diverse but depauperate, consisting of a mixture of woody garden weeds and *Kunzea* sp., *Bursaria* sp. and small eucalypts.

The ground layer is severely affected by constant and heavy grazing by Eastern Grey Kangaroos. It is a diverse mixture of African Love Grass, Serrated Tussock, exotic annual grasses and native grasses with possibly a measureable component of native and exotic herbs and forbs. There are historic records of *Thesium austral* (Austral Toad Flax) and the Orchid *Diuris punctata* (Purple Donkey Orchid) within 1km of the site.

Rock and bare ground is variously 10 -50% of surface.

The Avian, bat and Reptile fauna are still in fair to good condition.

The condition of the invertebrate communities is unknown, though the locally significant moth *Synemon collecta* (Striated Sun Moth) is recorded from Point Hut Hill approximately 1km away.

**Impact on the Reserve**

The works are to an existing facility with the existing tower to be increased in height by 2.6m with the existing lightening redirector to be added to the top. The height of the lightning rod is not specified.

The main impact of this development will be visual aesthetics. The existing tower is visible from a long way but the community is generally accepting of this impact and

the increase in height will not unduly increase the towers visibility. The lightning rod will have minimal impact.

Construction impacts on surrounding vegetation will also be minimal. While the use of a mobile crane will be required it is assumed that it will only need to be onsite for a day or so and the same flat spot they used in approximately 1990 for the original installation of the existing tower can be used.

### **Potentially Significant Environmental Impacts**

There are no potentially significant impacts by these works as the area does not contain any significant native vegetation and all the works will be undertaken within the existing compound with any material storage to be located on the existing track.

The spread of weeds into and off the site is a potentially adverse impact of the works. To mitigate this impact it is important that all vehicles and machinery be cleaned down prior to entering or leaving the site.

It is also a condition of approval that works must cease in wet conditions to prevent rutting or bogging of vehicles causing damage to the access road or surrounds.

Any damage to fences or the ground is to be made good to the satisfaction of the Parks and Conservation Service.

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.