Australian Capital Territory

Planning and Development (Conditional Environmental Significance Opinion – Block 18, Booth – Installation of Water Monitoring Equipment) Notice 2018

Notifiable instrument NI2018–648

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 (Conditional Environmental Significance Opinion – Block 18, Booth – Installation of Water Monitoring Equipment) Notice 2018.*

2 Conditional Environmental Significance Opinion

(1) On 23 October 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 in relation to construction, on Block 18, Booth, of installation of a water monitoring station, equipped with a level sensor, logger and water sampling unit.

(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.

Ben Ponton
Chief Planning Executive
15 November 2018

Schedule
See section 2(2)

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

Sentinel Pty Ltd, as represented by Rod Clapman, Business Services 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 the installation of a streamflow and water quality monitoring station as described in the submission.

LOCATION

Block 18 District of Booth, within Namadgi National Park

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

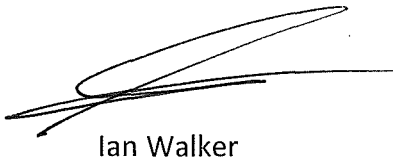
Provided the works are undertaken in the manner consistent with the following conditions, they are unlikely to cause a significant adverse environmental impact.

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

- The Area Ranger must be notified on 62072900 or deklyn.townsend@act.gov.au at least 5 working days prior to commencement of work;

- all vehicles and equipment are to be washed down prior to entering Namadgi National Park to limit the spread of weeds; and
- Works are to be in accordance the Fire Season Conditions for the Use of Plant and Equipment on the Parks and Conservation Estate (copy attached).

Attached is a Statement of Reasons for the decision.



Ian Walker
Conservator of Flora and Fauna

23 October 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 1(a) development that may impact on a species or ecological community that is endangered, a species that is vulnerable; protected; or has special protection status;

The upper Naas Valley within the Namadgi National Park is likely to contain the following animal species listed as threatened under the *Nature Conservation Act 2014:*

- Brown Treecreeper *(Climacteris picumnus)*
- Glossy Black Cockatoo (*Calyptorhynchus lathami*),
- Scarlet robin (*Petroica boodang*).
- Spotted-Tailed Quoll *(Dasyurus maculates)*
- Little Eagle (*Hieraaetus morphnoides*)

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 Namadgi National Park.

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 two stations for monitoring streamflow and water quality on the Naas River upstream of Caloola Farm, within the Namadgi National Park.

The monitoring equipment will be housed in two weather-proof lockable cabinets 1600mm high, 600mm wide and 600mm deep, mounted on a concrete slab approximately $1m^2$. The stations will be battery powered with a solar panel to recharge the battery and will be installed on the left bank of the river.

Two enclosures are to be used to reduce the overall risk to the site from flood events. The sampler will be installed in the enclosure above the primary bank while the data logger unit will be installed at the top of the secondary bank to ensure long term viability of the site.

Sensor lines will be installed in poly pipe buried until they can be bolted to the rock in the main channel.

Access to the site will be via the existing Naas Valley Fire Trail.

Documentation Submitted
- ESO Report;
- Construction Environmental Management Plan;
- Site Information Report ;
- Report on overall project;
- Form 1M.

Natural conservation values present
The report notes that "The upper Naas River valley within Namadgi National Park is an entirely native vegetated river catchment. Vegetation communities along the valley floor (where the proposed works are to be situated) is characterised as Apple box/Yellow box grassy woodland with a dominant mid-storey of Silver wattle (*Acacia*

dealbata). The mid-slope regions are dominated by Apple box/broad-leafed peppermint forests."

Namadgi National Park is habitat for the Rosenberg's Monitor (*Varanus rosenbergi*) (listed as vulnerable in NSW, but unlisted in the ACT) and the Spotted-tailed Quoll. However both these species are largely solitary animals that have a large home range, are highly mobile and are unlikely to be disturbed by the works.

Other species that may use the area for foraging, or are likely to be transient through the area, are the Brown Treecreeper, Glossy Black Cockatoos, Little Eagles and Scarlet Robin. The works will not impact on any of these species.

The upper Naas River does not support any listed fish or aquatic species. The pools within the Naas River at this location contain minimal vegetation providing unsuitable habitat for most aquatic macrophyte species and is unlikely to support a healthy population of any larger species. There may be low population densities of Reik's Crayfish (*Euastacus reiki*), Mountain Galaxias (*Galaxias olidus*), Eastern Long-necked Turtle (*Chelodina longicollis*) and Platypus (*Ornithorhyncus anatinus*) but no surveys of the area have been carried out.

Multiple clumps of Blackberry, a listed weed species, are present in the area of works.

Impact on the Reserve

Access to the site is via the Naas Valley Fire Trail and therefore the only disturbance will be for the installation of the equipment itself.

The stations will be transported to the sites from the fire trail by a Toro mini-loader, a rubber tracked, walk-behind machine (approx. 1200mm high, 900mm wide and 1800mm long) specifically designed for small-scale operations. The use of this vehicle will minimise disturbance to existing flora and grassland areas.

Visual impacts from the installation will be low and the installation is to be in an area that is subject to low visitation.

The site selected was specifically chosen to ensure that underground boring can be utilised down to the water body. If rocks are encountered that cannot be bored through, trenching will be utilised. The trench will be approximately 10cm in width and up to 30cm in depth dependant on the depth of rocks.

If trenching is required, separation of the soil profile will be conducted, separating topsoil first and segregating this from subsoil creating a soil stockpile. This will allow

soil to be replaced in its natural sequence. For sensitive areas, geotextile may be utilised underneath soil stockpile to protect underlying vegetation / soil.

Potentially Significant Environmental Impacts

The site has been well chosen to avoid any more than minor clearance and the total disturbance footprint is low. Provided vehicles and machinery are washed down, and all works are in accordance with the Fire Season Conditions for the Use of Plant and Equipment on the Parks and Conservation Estate, then the potential adverse impact on Namadgi National Park is low.

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.