

# Planning and Development (Environmental Significance Opinion – Block 12, Molonglo Valley– Installation of Water Monitoring Equipment) Notice 2018

Notifiable instrument NI2018–649

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 – Block 12, Molonglo Valley – Installation of Water Monitoring Equipment) Notice 2018*.

## 2 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 an environmental significance opinion in relation to construction, on Block 12, Molonglo Valley, of a water monitoring station, equipped with a level sensor, logger and water sampling unit.

(2) In this section:

***Environmental significance opinion*** means the opinion in the schedule.

*Note* Under section 138AD(6) of the Act, the environmental significance opinion and this notice expire 18 months after the day the notice is notified.

Ben Ponton  
Chief Planning Executive  
15 November 2018

## **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 two streamflow and water quality monitoring stations as described in the submission.

### **LOCATION**

Block 12 District of Molonglo – Deep Creek

### **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 application, they are unlikely to cause a significant adverse environmental impact.

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 works are close to habitat for the Pink Tailed Worm Lizard (*Aprasia parapulchella*), a species listed as vulnerable under the provisions of the *Nature Conservation Act 2014* (NCA) and the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC)

*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.*

Some of the works are within an area of Special Purpose Reserve known as Deep Creek, currently part of the Molonglo River 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 two streamflow and water monitoring stations on natural rock bars within Deep Creek, Molonglo. One monitoring station is to be within an area currently zoned as special purpose reserve. The second station is within an area zoned as Urban Open Space in the future residential development area of Whitlam.

The monitoring equipment will be housed in a weather-proof lockable cabinet 1600mm high, 600mm wide and 600mm deep, mounted on a concrete slab approximately 1m<sup>2</sup>. The stations will be battery powered with a solar panel to recharge the battery.

The stations will be constructed offsite and transported to the sites utilising 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.

Pipes housing the sensor and sampling lines will be installed using a combination of underground boring and trenching. Where rock outcrops prevent underground installation, they will be bolted to the rock using saddles and rock bolts.

### **Documentation Submitted**

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

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

Deep Creek shows high degrees of erosion. Vegetation in the area is highly overgrazed and degraded with no ecological values present. Blackberry, a listed weed species, is present.

There are patches of Pink-tailed Worm Lizard habitat close to the areas of work but these will not be disturbed by the installations. Works and installation of the

upstream site will be undertaken on the eastern side of the creek to ensure the habitat is not disturbed while accessing the site.

### **Impact on the Reserve**

The upstream installation is outside the current and future boundary of the Molonglo River Reserve. The downstream site is currently within Special Purpose Reserve however it is intended that the majority of Deep Creek will be excised from reserve as the area is to be subject to major works for the installation of a water quality control pond as part of the development of the future suburb of Whitlam

In the meantime, there will be a minor visual impact to the reserve, however this part of the reserve is not subject to visitor use.

It has been determined that provided the works are undertaken in a manner consistent with the documentation submitted with the ESO, they are unlikely to cause a significant adverse environmental impact.