

# Planning and Development (Conditional Environmental Significance Opinion – Blocks 1553 and 1642, Belconnen – Lower Molonglo Water Quality Control Centre High Voltage Power Line Renewal) Notice 2021

Notifiable instrument NI2021–26

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 – Blocks 1553 and 1642, Belconnen – Lower Molonglo Water Quality Control Centre High Voltage Power Line Renewal) Notice 2021*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 18 December 2020, the Conservator of Flora and Fauna, pursuant to section 138AB (4) (b) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to installation of high voltage power lines and associated infrastructure, on Blocks 1553 and 1642, District of Belconnen.

- (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.

Brett Phillips  
Delegate of the planning and land authority  
14 January 2021

## **Schedule**

**See section 3(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**

Icon Water, as represented by Michael Smith, Senior Environmental Scientist.

#### **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 (ESO) 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 underground and overhead high voltage power line and associated works at the Lower Molonglo Water Quality Control Centre as described in the submission.

#### **LOCATION**

The proposed works are located within Blocks 1553 and 1642, District of Belconnen.

#### **MATTERS TO WHICH THIS OPINION APPLIES**

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

#### **OPINION**

Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, 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:

1. A Construction Environmental Management Plan is to be developed to the satisfaction of the Conservator of Flora and Fauna prior to commencement of works;
2. Tree replacement ratios are to be increased to 1:8 for trees removed within Woodstock Nature Reserve, 1:4 for trees removed outside the nature reserve, and 1:2 for trees that are likely to have their roots significantly impacted;
3. Replacement trees within Woodstock Nature Reserve must be mature stock and the proponent will be responsible for their care for 24 months to the satisfaction of the ACT Parks and Conservation Service (PCS);
4. Large felled trees (limbs and felled debris with a diameter of 20cm or more) are to be reused for woodland restoration works and placed in the adjoining areas of reserve at the direction and to the satisfaction of PCS;
5. Areas requiring native ground storey rehabilitation are to have a seeding rate of 30-50kg per ha; and
6. Follow up weed monitoring and control in disturbed areas must occur for 24 months post construction, to the satisfaction of PCS.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

18 December 2020

## 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;*

Blocks 1553 and 1642 contain:

Two communities listed as endangered:

- Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT;
- White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland

Records of three animal species listed as threatened under the Nature Conservation Act 2014:

- Pink-tailed Worm-lizard (*Aprasia parapulchella*)
- Little Eagle (*Hieraaetus morphnoides*)
- White-Winged Triller (*Lalage sueurii*)

Records of one plant species listed as threatened

- Pale Pomaderris (*Pomaderris pallida*)

*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.*

Block 1642 has a Pc: Nature Reserve overlay and is part of Woodstock 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 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 Lower Molonglo Water Quality Control Centre (LMWQCC) is a Sewage Treatment Plant which currently has limited redundant electrical power capacity in the form of generators onsite. If electricity to the site and the generators were to fail it could result in a discharge of partially treated effluent into the Murrumbidgee River, potentially causing substantial environmental damage. This project proposes the installation of underground and overhead high voltage (HV) power line and associated works in order to increase the site's redundant electrical capability and reduce the potential for these scenarios to occur.

This project includes:

- Installation of approximately 1.3 km of underground HV cables via open trenching
- Installation of approximately 300 m of overhead cables (including poles)
- Installation of a backup generator at a previously disturbed flat pad area approximately 400m<sup>2</sup>
- Installation of two switch rooms approximately 200 m<sup>2</sup> and a 60 m walking path connecting the switch rooms to the LMWQCC maintenance carpark and maintenance building
- Installation of a substation north of the solar array approximately 17 m<sup>2</sup> in an area dominated by African Lovegrass

- Installation of two substations east of the outfall at the facility in a previously disturbed area approximately 40 m<sup>2</sup>
- Installation of two substations within an existing building

#### **Documentation Submitted**

- CX10950 – LMWQCC High Voltage Project Environmental Significance Opinion;
- ACT Heritage Council conditional endorsement of the Cultural Heritage Assessment Report;
- Letters of authorisation;
- Form 1M.

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

An ecological assessment was undertaken on 12 October 2020 by suitably qualified Icon Water Environmental Scientists. The report notes that the project site consists mainly of open woodland with regenerating juvenile Blakely's Red Gums, open grassland, and native amenity plantings and garden beds directly adjacent to the infrastructure areas. In general, the construction area has a high presence of exotic species such as Blackberry and St John's Wort. The area also contains patches of moderate and high-quality Pink-tailed Worm-lizard (PTWL) habitat.

LMWQCC provides ecological connectivity to the Woodstock Nature Reserve and the Murrumbidgee River corridor.

The treatment plant discharges treated effluent into the Molonglo River and Platypuses are known to live downstream of the discharge point.

#### **Impact on the Reserve**

Approximately 20 planted Box Gum Woodland trees ranging in age between 10-30 years are proposed for removal and a further 20 are likely to have their roots impacted significantly. In addition, there are four immature Eucalypts, approximately 10 years old, that are proposed for removal within Woodstock Nature Reserve.

Although there are patches of PTWL habitat within the construction footprint, impact to the area will be minimised by using overhead powerlines as an alternative to trenching.

The installation of this new electrical infrastructure will reduce the potential for effluent to be released into the Murrumbidgee River in the event of power failure.

#### **Potentially Significant Environmental Impacts**

The majority of the construction footprint is highly modified and disturbed with exotic dominated groundcover. Although several trees are to be removed or potentially damaged, the proposal includes replacement commitments.

It must be noted that PTWLs have been surveyed many tens of metres away from any rock, so habitat mapping is best viewed as core rather than comprehensive mapping. However, provided habitat is fenced prior to commencement and works are in accordance with a Construction Environmental Management Plan (CEMP) that includes an Emergency Pink-tailed Worm-lizard Salvage and Relocation Procedure, impacts on this species will not be a significant impact.

The CEMP is also to include weed management and rehabilitation plans.

Conditions have been included to ensure that rehabilitation works are sufficient to mitigate impacts to trees and ground cover vegetation:

1. A Construction Environmental Management Plan is to be developed to the satisfaction of the Conservator of Flora and Fauna prior to commencement of works;
2. Tree replacement ratios are to be increased to 1:8 for trees removed within Woodstock Nature Reserve, 1:4 for trees removed outside the nature reserve, and 1:2 for trees that are likely to have their roots significantly impacted;
3. Replacement trees within Woodstock Nature Reserve must be mature stock and the proponent will be responsible for their care for 24 months to the satisfaction of the ACT Parks and Conservation Service (PCS);
4. Large felled trees (limbs and felled debris with a diameter of 20cm or more) are to be reused for woodland restoration works and placed in the adjoining areas of reserve at the direction and to the satisfaction of PCS;
5. Areas requiring native ground storey rehabilitation are to have a seeding rate of 30-50kg per ha; and
6. Follow up weed monitoring and control in disturbed areas must occur for 24months post construction, to the satisfaction of PCS.

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.