

# Planning and Development (Conditional Environmental Significance Opinion – Blocks 15 and 21 Cotter River – Corin Tower Refurbishment) Notice 2021

Notifiable instrument NI2021–311

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 – Blocks 15 and 21 Cotter River – Corin Tower Refurbishment) Notice 2021*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 7 May 2021, 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 refurbishment of the Corin Dam tower and installation of a hydrometric monitoring station on Blocks 15 and 21, District of Cotter River.

- (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.

George Cilliers  
Delegate of the planning and land authority  
25 May 2021

## **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**

Icon Water, as represented by Sean Fritsch, 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 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 refurbishment of Corin Tower and the installation of a hydrometric monitoring station as described in the submission.

#### **LOCATION**

The proposed works are located at the existing Corin Dam Tower at Blocks 15 and 21 District of Cotter River.

#### **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 (CEMP) is to be endorsed by the Conservator of Flora and Fauna prior to commencement of works. The CEMP must include:
  - a) Sediment and erosion control measures
  - b) Weed hygiene measures
  - c) Rehabilitation details
  - d) Details of any proposed flow variations outside of the current WU67 Licence, including:
    - i. Expected volumes and steps during the 3-day flow period
    - ii. Estimates of the proposed pumped flow (ML per day) throughout the works
2. No works are to occur on days of Total Fire Ban, when the Fire Danger Index exceeds 30, or after rain events when the ground is wet and boggy
3. Prior to entering the reserve, vehicles and machinery must be cleaned and free of any plant material or soil.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

07 May 2021

## 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 area of works contains:

Five animal species listed as threatened under the Nature Conservation Act 2014:

- Two-spined Blackfish (*Gadopsis bispinosus*)
- Trout Cod (*Maccullochella macquariensis*)
- Macquarie Perch (*Macquaria australasica*)
- Scarlet Robin (*Petroica boodang*)
- Smoky Mouse (*Pseudomys fumeus*)

*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 proposed 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**

#### Tower refurbishment and platform works:

The tower refurbishment includes the installation, testing and commissioning of switchboards, cabling, electrical equipment, instruments and services.

Minor excavations are required to install:

- A new earth pit (20cm x 20cm x 15cm;
- A concrete slab (2.2m x 1.3m x 20cm;
- 3 x 10cm HDPVC conduits

Other works are constrained to the tower bridge and within the tower platform and includes the construction of new cable trays, surface conduit and floodlights.

The proposal also involves multiple releases of large volumes of water throughout the project. Flow rates outside of the current approved flows are unknown and to be discussed and approved by both the EPA and the Conservator.

#### Corin leakage monitoring station:

The installation of a hydrometric monitoring station on the existing Corin Dam leakage weir involves:

- Trenching from the leakage weir to the existing turning circle (approximately 37 m at a depth of 300 mm) underneath the established access track.
- Installation of the monitoring station which is an enclosure mounted on a 3 m pole.

### **Documentation Submitted**

- Corin Tower Refurbishment Environmental Assessment Report for an Environmental Significance Opinion;
- Licence to Take Water;
- Licence to Take Water Environment Management Plan;
- Letter of Authorisation;

- Form 1M.

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

The vegetation at the tower site consists mainly of open wet sclerophyll forest in good condition. The site contains multiple existing structures and some broadleaf weeds are present in the disturbed areas.

Vegetation at the Leakage Weir site can be described as a closed wet sclerophyll forest densely vegetated with a variety of native species and few weeds present. The cleared area contains native grasses and small shrubs.

At least 35 species of mammals, 14 species or subspecies of frog, over 41 species of reptiles, four native fish species and over 130 species of birds have been recorded in Namadgi National park. In the vicinity of the works there are five animal species listed as threatened under the *Nature Conservation Act 2014*:

- Two-spined Blackfish (*Gadopsis bispinosus*)
- Trout Cod (*Maccullochella macquariensis*)
- Macquarie Perch (*Macquaria australasica*)
- Scarlet Robin (*Petroica boodang*)
- Smoky Mouse (*Pseudomys fumeus*)

### **Impact on the Reserve**

The refurbishment works are contained within an existing disturbed area, focused around existing infrastructure at Corin Dam. Thus, the works are unlikely to impact any terrestrial species.

The proposed releases of water could result in abrupt drops in water level from Corin Dam, increased flow downstream and finally abrupt rises in water level at Bendora Dam. Macquarie Perch and Two-spined Blackfish occur in Corin Dam and downstream to Bendora Dam while Trout Cod is regularly recorded in Bendora Dam and occasionally further downstream. Abrupt increases and decreases in water level have the potential to impact these species, particularly during their breeding season.

Important mitigation measures committed to by the proponent to minimise potential impacts include:

- Undertaking works outside of Macquarie Perch and Two-spined Blackfish breeding season (October to December);
- Ramping flows up and down; and
- Pumping water from near the surface to minimise temperature differences.

### **Potentially Significant Environmental Impacts**

The works will avoid any more than minor clearance of vegetation and no trees are to be removed. While the presence of rare plants can't be entirely dismissed, there is a very low likelihood of the proposal impacting on rare plant species.

Indirect impacts to aquatic habitats and species are unlikely to be significant due to the committed to mitigation measures.

Conditions have been included to ensure that the impact of works on terrestrial and aquatic habitat will be minimal:

1. A Construction Environmental Management Plan (CEMP) is to be endorsed by the Conservator of Flora and Fauna prior to commencement of works. The CEMP must include:
  - a) Sediment and erosion control measures
  - b) Weed hygiene measures
  - c) Rehabilitation details
  - d) Details of any proposed flow variations outside of the current WU67 Licence, including:
    - i. Expected volumes and steps during the 3-day flow period
    - ii. Estimates of the proposed pumped flow (ML per day) throughout the works
2. No works are to occur on days of Total Fire Ban, when the Fire Danger Index exceeds 30, or after rain events when the ground is wet and boggy
3. Prior to entering the reserve, vehicles and machinery must be cleaned and free of any plant material or soil.

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.