

Planning and Development (Conditional Environmental Significance Opinion – Various Blocks, Paddys River/Stromlo/Tuggeranong/Theodore – Icon Water Access Improvements) Notice 2021

Notifiable instrument NI2021–770

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 – Various Blocks, Paddys River/Stromlo/Tuggeranong/Theodore – Icon Water Access Improvements) Notice 2021**.

2 Commencement

This instrument commences on the day after its notification day.

3 Conditional environmental significance opinion

- (1) On 8 November 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 general maintenance and minor upgrades to existing Icon Water valve pits, within various Blocks, Paddys River/Stromlo/Tuggeranong/Theodore.

- (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.

Craig Weller
Delegate of the planning and land authority
15 December 2021

*Name amended under Legislation Act, s 60

Conditions have been included to ensure that works will have no or negligible impact on the natural environment during construction and operation as follows:

1. The proposal must be undertaken in a way that is consistent with the licence issued under section 273 of the *Nature Conservation Act 2014* dated 12 October 2021.
2. Construction activities in the Lower Cotter Catchment Reserve must be undertaken outside the summer holiday period (24 December 2021 – 31 January 2022).
3. A Construction Environment Management Plan (CEMP) be prepared and submitted to the Conservator for endorsement that includes:
 - a) Demarcation of areas requiring protection, as appropriate e.g trees and the Cotter River;
 - b) Sediment and erosion control measures are to be in line with the Environment Protection Guidelines for Construction and Land Development in the ACT.
 - c) Ensure any excavation/trenches are not left open overnight or have appropriate fencing to exclude wildlife.
 - d) Avoid disturbance to areas beyond the immediate footprint of proposed works.
 - e) Fire suppression controls need to be onsite if hot works are to be used.
 - f) Bushfire response plan developed if works are conducted during bushfire season.
 - g) All litter to be removed from site by contractors.
 - h) Icon Water Site Surveillance Officers (SSO's) to be onsite during works.
 - i) Notify Icon Water environment team in the event of an environmental incident.
 - j) Icon Water environmental scientists to conduct regular site inspections.
 - k) Disturbed areas to be rehabilitated appropriately, where required, with native grass seed mix post installation.
 - l) Temporary fences erected around works site to delineate work areas.
 - m) Access trails are to not be blocked during works to allow service vehicles passage.

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.