

Chris Steel MLA

Treasurer

Minister for Planning and Sustainable Development

Minister for Heritage

Minister for Transport

Member for Murrumbidgee

RESPONSE TO QUESTION ON NOTICE**Questions on Notice Paper No 1****6 December 2024****Question No. 50****MR RATTENBURY MLA** - To ask the Minister for Planning and Sustainable Development:

- (1) What investigations have been undertaken for Block 3 Section 60 Ainslie into (a) the environmental values and (b) First Nations heritage values.
- (2) When were any environmental investigations undertaken.
- (3) In relation to the approved development application for a telecommunications facility on Block 3 Section 60 Ainslie, what decision making process was undertaken to exempt the application from an environmental significance opinion.
- (4) Why was an environmental significance opinion deemed unnecessary.
- (5) In environmental investigations undertaken for the site, what was the extent of (a) natural temperate grasslands and (b) exotic grasslands.
- (6) How many species classified as threatened under the Nature Conservation Act or the Environment Protection and Biodiversity Conversation Act were identified on the block.

MINISTER STEEL MLA - The answer to the Member's question is as follows:

- (1)
 - (a) A site inspection of Block 3 Section 60 Ainslie was undertaken by the Conservator of Flora and Fauna.
 - (b) The ACT Heritage Council conducted a thorough assessment of the potential heritage significance of the Territory land within the stated blocks: Block 4 Section 63, Campbell; Blocks 2 & 3 Section 60 Ainslie; and a portion of the Wolseley Drive Reserve. This was in accordance with the criteria for heritage significance contained in



s 10 of the *Heritage Act 2004* and the thresholds outlined in the *Heritage Assessment Policy 2018*. In making their decision the Council also considered:

- the original nomination and documentary evidence supplied by the nominator
- information provided by site inspections on 10 December 2021, 10 January 2022 and 13 August 2024 by ACT Heritage
- information and comments received from consulting with Representative Aboriginal Organisations (RAOs) established under s 14 of the Act (pursuant to s 31 of the Act)
- information and comments received from consulting with the scientific committee established under the *Nature Conservation Act 2014* (pursuant to s 31A of the Act)
- the report by ACT Heritage titled, *Background Information Ainslie Volcanics, Ainslie and Campbell, September 2024*, containing photographs and information on history, description, condition and integrity.

(2) Environmental investigations were undertaken by the Conservator of Flora and Fauna on 3 April 2023.

(3) As part of the Development Application (DA) process, the Territory Planning Authority (the TPA) considered the advice and assessed the application against the requirements of the Territory Plan and Planning and Development Act 2007 (the PD Act). The PD Act outlined a number of triggers for an Impact track DA and the requirement for an associated Environmental Impact Statement process. In relation to this proposal, potential triggers included consideration of whether the development is likely to have a significant impact on protected matters and heritage values. If the proposal is likely to have a significant impact, the proponent is able to apply to the Conservator and ACT Heritage Council for an Environmental Significance Opinion (ESO).

The TPA determined that the development is not likely to have a significant impact on environmental or heritage values. Therefore, an ESO was not required. On 18 October 2024, the TPA approved the DA, subject to conditions. Amongst other things, conditions were imposed that required suitable compatible landscaping as well as mitigation measures to protect environmentally sensitive areas that were adjacent to the site.

Full reasons for the decision are outlined in the notice of decision which is available at <https://dafinder.blob.core.windows.net/dadocuments/DOCs/NOTICEOFDECISION-202342438-SIGNED.pdf>.

(4) Refer to response for question (3).

(5) The Conservator advised that the area for the proposed telecommunications facility is perennial exotic dominated and not native temperate grassland (NTG). It consists of primarily Chilean Needle Grass, Couch Grass, Plantago with a very small proportion of natives such as Windmill Grass and a very small patch (approx. 2m²) of Wallaby Grass. Given the weedy

nature of this corner of the site, and the connected adjacent area of native dominated vegetation, they advised that there were no concerns from an ecological perspective.

- (6) Natural Temperate Grassland is listed as an endangered ecological community under the *Nature Conservation Act 2014* and a critically endangered community under the *Environment Protection and Biodiversity Conservation Act 1999*. Whilst a portion of the block has been mapped as having Natural Temperate Grassland, this does not extend into the corner where the proposed telecommunications facility was proposed. Figure 1 is a snapshot from ACTMapi showing the mapped NTG does not extend into the corner of the block and ceases approximately in line with the polygon indicated in Figure 1.



Figure 1 – ACTMapi snapshot showing extent of mapped Natural Temperate Grassland.

Approved for circulation to the Member and incorporation into Hansard.

Chris Steel MLA

Minister for Planning and Sustainable Development

Date: 21/1/25

This response required 1hr 40mins to complete, at an approximate cost of \$231.71.