ACT Government
City and Environment

ENVIRONMENTAL SIGNIFICANCE OPINION - Fyshwick Sewage Treatment Plant: Lagoon Renewal & Hydromud Facility (ESO 202500060)

In accordance with section 140 (4) of the *Planning Act 2023* (the Act), I provide the following environmental significance opinion:

APPLICANT

Icon Water Ltd, as represented by Mr Henry Grogan, Senior Environmental Scientist.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 140 (4) 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 renewal of deteriorating lagoon embankments, and construction of a facility for handling hydromud at the Fyshwick Sewage Treatment Plant as described in the submission.

LOCATION

Block 12 Section 59 Fyshwick.

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 s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Earthworks must be avoided within or directly adjacent to lagoons and embankments between September and February, to avoid peak periods of habitat use by local fauna, including Sharp-tailed Sandpiper.

4. Pre-clearance surveys must be undertaken by a suitably qualified ecologist prior to work within or directly adjacent to lagoons and embankments. Should any rare or threatened fauna be detected within the disturbance area, works must not commence until fauna has moved on or endorsement received from the Office of the Conservator.
5. Trenches and/or pits must not be left open overnight. Where unavoidable, open trenches/pits should be inspected each morning by a suitably qualified ecologist. Any trapped fauna should be relocated at least 50m from the trench/pit.
6. All disturbed permeable areas are to be remediated. Areas within or directly adjacent to lagoons and embankments should be rehabilitated with appropriate local native wetland species.

Attached is a Statement of Reasons for the decision.

[redacted]

Bren Burkevics
Conservator of Flora and Fauna

10 March 2026

STATEMENT OF REASONS
REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – requiring environmental impact statement, being:

Part 1.2, item 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

(a) a critically endangered species;
(b) an endangered species;
(c) a vulnerable species;
(d) a conservation dependent species;
(e) a regionally threatened species;
(f) a regionally conservation dependent species;
(g) a provisionally listed threatened species;
(h) a listed migratory species;
(i) a threatened ecological community;
(j) a protected native species;
(k) a Ramsar wetland;
(l) any other protected matter

The site provides habitat for listed migratory birds and is adjacent to Jerrabomberra Wetlands Reserve – one of the ACT's most significant wetland habitats. The project may potentially impact on migratory bird species including the following:

- Common Greenshank (*Tringa nebularia*)
- Sharp-tailed Sandpiper (*Calidris acuminata*)
- Latham's Snipe (*Gallinago hardwickii*)

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement 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 for an opinion 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 development proposal is for renewal of deteriorating lagoon embankments, and construction of a facility for handling hydromud at the Fyshwick Sewage Treatment Plant (FSTP). The plant uses a series of lagoons to treat wastewater, and it was identified that the upper lagoons were compromised due to embankment erosion and vegetation growth. The site also contains sludge drying beds for storing and drying hydromud slurry brought in from Icon Water's fleet of hydrovac trucks. The existing beds are in poor condition and no longer fit-for-purpose.

Works proposed involve the following:

<u>Lagoon renewal</u>

- Earthworks reinstatement of the entire perimeter of the FSTP Lagoon 1A and Lagoon 2A embankments, comprised of:
    - Approximately 650m^3 of unsuitable material to be removed from the surface of the embankment (the first 250mm of material).
    - Approximately 2300m^3 of earthwork fill to be compacted to the slopes of the embankments.
- Provision of geofabric and rock armouring to the embankment surface.
- Localised repair of the effluent transfer pipeline within the northern 2A and 2B embankment, including repair and sealing at dilapidated pipe joints, and connections to weir inlet pits.
- Renewal and regrading of the access track along the perimeter of the 1A and 2A lagoon embankments, including the provision of suitable road base material, crossfall for drainage and compaction.

<u>Hydromud drying beds</u>

- Earthworks to prepare a concrete pad.
- Construction of ~1,500m^2 of total drying area in 16 separate bays.
- Construction of an area for washdown and refilling of two hydrovac trucks.
- Installation of sealed ring road around the facility for access to the drying bays, washdown, and fill area.

- Construction of a second bunded area for hydromud drying, a minimum of 15m from the main drying beds. This area will have 2m high walls on 3 sides and no drainage to ensure all material is contained.
- Installation of drainage infrastructure connecting the drying bays to Lagoon 1B.
- Installation of potable water connection from Dairy Road.

A Construction Environmental Management Plan (CEMP) will be in place prior to the start of works that will detail mitigation tactics to minimise disturbance to surrounding environmental values.

Documentation Submitted

- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The site is located directly adjacent to the Jerrabomberra Wetlands Nature Reserve, a 174ha protected area and one of the ACT's most significant wetland habitats. The reserve is an important sanctuary for local birds as well as bird species migrating from the northern hemisphere and from inland Australia, and is home to more than 200 bird species.

Habitat value within the site is largely restricted to the lagoons, with the remainder of the site being highly degraded and exotic dominant. The bunds surrounding the lagoons are comprised of a mix of mostly bare ground with some cover of invasive plants. The hydromud area is devoid of vegetation, being an area of bare earth used for stockpile management.

Potentially Significant Environmental Impacts

It is the view of the Conservator that the proponent underestimates the value of the habitat in the lagoon for migratory waterbirds. The lagoons support numerous wetland fauna, of note is the listed Vulnerable Sharp-tailed Sandpiper (*Calidris acuminata*). Sharp-tailed Sandpiper is a spring-summer migrant to Australia, generally being recorded in the ACT between September and January. The species breeds in the northern hemisphere, so habitat value in Australia is restricted to foraging, with most foraging records being around wetlands, sewerage ponds and flooded grasslands. The ESO report identifies the likelihood of Sharp-tailed Sandpiper as low, which is inconsistent with the observation records of this species. To note, most Sharp-tailed Sandpiper records within the ACT are within the Jerra Wetlands landscape, with approximately ~14% of ACT records within the proposal site. Further, most of these records show the species exhibiting foraging behaviour, rather than transiting through the site. It is therefore important to ensure the works do not disrupt foraging behaviour of this species during its austral migration.

In addition to sandpipers there are also multiple records of the nationally Vulnerable Latham's Snipe (*Gallinago hardwickii*) and a record of the Endangered Common Greenshank

(*Tringa nebularia*). The site provides only foraging habitat to these species as both breed overseas. There is also potential for the lagoons to support additional migratory wetland birds, although no additional species have been recorded within the sewerage plant.

Given the value of the lagoon for these species and its proximity to the Jerrabomberra Wetlands, it is critical to ensure that earthworks are avoided within or directly adjacent to lagoons and embankments between September and February. Conditions have been included to ensure that works minimise impact to fauna, particularly migratory birds.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Earthworks must be avoided within or directly adjacent to lagoons and embankments between September and February, to avoid peak periods of habitat use by local fauna, including Sharp-tailed Sandpiper.
4. Pre-clearance surveys must be undertaken by a suitably qualified ecologist prior to work within or directly adjacent to lagoons and embankments. Should any rare or threatened fauna be detected within the disturbance area, works must not commence until fauna has moved on or endorsement received from the Office of the Conservator.
5. Trenches and/or pits must not be left open overnight. Where unavoidable, open trenches/pits should be inspected each morning by a suitably qualified ecologist. Any trapped fauna should be relocated at least 50m from the trench/pit.
6. All disturbed permeable areas are to be remediated. Areas within or directly adjacent to lagoons and embankments should be rehabilitated with appropriate local native wetland species.

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.