
ENVIRONMENTAL SIGNIFICANCE OPINION - Evoenergy 11kV Feeder - Fyshwick Zone Substation to CDC Fyshwick 2 (ESO 202600015)

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

APPLICANT

EvoEnergy, as represented by Mr Thomas Atkins, Manager Environment, Sustainability, Planning and Approvals.

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 construction of an underground high-voltage 11kV feeder to provide additional capacity to a data centre in Fyshwick as described in the submission.

LOCATION

Block 3 Section 45 Fyshwick

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

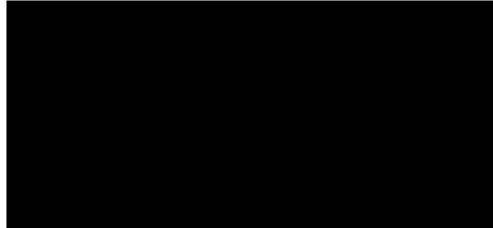
Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

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. No surface earthworks are to be undertaken within Zone 2 (creek) or Zone 3 (Natural Temperate Grassland) as identified in the ecology report. If these areas cannot be avoided through design, they must be underbored.

4. Parking and access must not encroach on any Zone 3 areas.
5. Pits should not be left open overnight. If unavoidable, a barrier (e.g. temporary sediment fencing) should be installed around pits, and/or pits checked every morning by a qualified ecologist to ensure grassland fauna is not trapped.
6. A fauna spotter will be required if works are conducted during peak Striped Legless Lizard activity periods in Spring/Summer.
7. Vehicles and machinery must be clean and free of propagules prior to entering the site.
8. The works area is Bushfire Prone Land, and the following hot works risk mitigation measures must be adhered to:
 - a. The work sites are to be maintained in accordance with the ACT Emergencies Bushfire Management Standards 2025 Fuel Management Standard for Strategic Fire Advantage Zones (SFAZ).
 - b. No work is permitted on site when a Total Fire Ban is declared.
 - c. On days of High fire danger rating (FBI 25 or greater), all hot works and works that could emit a spark must cease, and the activities must be deferred until less risky conditions. Hot works include welding, cutting, grinding, or other works involving open flames or emitting sparks, such as excavating hard rock, slashing and brush-cutting.

Attached is a Statement of Reasons for the decision.



Bren Burkevics
Conservator of Flora and Fauna

15 May 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*

Sections of the proposed feeder will underbore a patch of Natural Temperate Grasslands, a critically endangered ecological community listed under the Australian *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the ACT *Nature Conservation Act 2014* (NC Act). NTG are at risk of fragmentation due to development, and provides critical habitat to several threatened species including:

- Canberra Grassland Earless Dragon (*Tympanocryptis lineata*)
- Striped Legless Lizard (*Delma impar*)
- Perunga Grasshopper (*Perunga ochracea*)
- Key's Matchstick Grasshopper (*Keyacris scurra*)
- Golden Sun Moth (*Synemon plana*)
- Button Wrinklewort (*Rutidosis leptorhynchoides*)

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 construction of an underground high-voltage 11kV feeder to provide additional capacity to a data centre in Fyshwick. Sections of the proposed feeder will underbore a patch of critically endangered Natural Temperate Grasslands (NTG), as well as a small creek, in Block 3 Section 45 Fyshwick.

The proposed underground HV feeder (comprised of two (2) underground 150 mm diameter conduits and 11kV cable) extending from Fyshwick Zone Substation (Block 7 Section 28 Fyshwick) to the CDC Fyshwick 2 data centre (Block 7 Section 85 Fyshwick) via Block 3 Section 45 Fyshwick. Approximately 450 metres of the feeder is proposed to be installed across Block 3 Section 45 Fyshwick. The feeder will then reticulate to facilities within Block 7 Section 85 Fyshwick via the road verges of Tom Price Street and Iron Knob Street.

A mix of trenching and underboring will be undertaken, with underboring undertaken when surface impacts are to be avoided. Trenching will be undertaken where surface disturbance will not impact sensitive ecological values. Portions of the feeder that require trenching will be mostly excavated within corridors of existing disturbance (e.g., along the existing access track from Tennant Street and parallel to existing underground effluent / gas infrastructure). The maximum dimensions for the trenching profile, which will contain the two conduits within Block 3 Section 45 Fyshwick, will be approximately 0.60 m wide and 1.2 m deep.

Cable joint pits will be installed with a finished level slightly above ground level, and have a built footprint of approximately 3 m x 1.5 m. For works within Block 3 Section 45 Fyshwick, pits will be located outside of the small creek present in 1-in-100-year flooding areas. The current design has included one joint pit within Block 3 Section 45 Fyshwick, however, this will be confirmed in the Development Application submission.

Additional controls will be undertaken prior to and during construction works, including fencing of the NTG areas. Disturbed areas in Block 3 Section 45 Fyshwick will be reinstated to a condition prior to the proposed development. A site-specific Tree Management Plan and Landscape Management and Protection Plan will be submitted as part of the subsequent Development Application.

Documentation Submitted

- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Biodiversity Assessment Report by Ecology Consulting – 26 March 2026
- Locality plan;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The general area comprises open space with predominantly disturbed grassland and scattered exotic trees, situated adjacent to the Fyshwick industrial precinct to the west and the Molonglo River Corridor 300m to the east. The site contains a weed-dominated understorey consisting of Blackberry, African Boxthorn and introduced pasture grasses (Zone 1). No native tree canopy or hollow bearing trees were present.

A small creek (Zone 2) flowing east into the Molonglo intercepts the proposed feeder route. The creek is shallow and narrow and largely obscured by dense stands of native Cattail (*Typha* sp.) and Fescue (*Festuca* sp), and supports common amphibian species such as the Spotted Marsh Frog (*Limnodynastes tasmaniensis*) and Plains Froglet (*Crinia parinsignifera*).

The main ecological value at this site is a 0.24ha high quality patch (Zone 3) of Natural Temperate Grasslands (NTG). The size and quality of the NTG patch meets criteria under the EPBC Act. The patch is dominated by native perennial grasses and forbs and supports moderate to high native species diversity with high structural integrity. While no threatened fauna or flora species were detected during field surveys, the patch is likely to be suitable for grassland invertebrates.

Potentially Significant Environmental Impacts

The site of disturbance proposed in this ESO is within the Eastern Broadacre Strategic Assessment area, which is currently being surveyed for future development for new industrial use. As this ESO is for supporting infrastructure to an existing data centre, it is unrelated to the Strategic Assessment and thus assessed separately.

A Striped Legless Lizard was recently recorded 200m from this site in areas dominated by exotic Chilean Needle Grass with low forb diversity. This record shows this vulnerable species persists in proximity of the proposed site. However given it is now leading into winter and lizards will become less active, there will be minimal risk to the species over the course of the works. The proponent has committed to underboring Zone 3 (NTG patch) and

Zone 2 (small creek), as well as installing haulage and joint pits outside Zone 3. Overall the scale of works is small and mitigation measures are appropriate to avoid any significant adverse impacts to protected values.

Conditions have been included to ensure that works do not impact on the NTG patch and small creek as identified in Zones 2 and 3 of the ecology report.

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. No surface earthworks are to be undertaken within Zone 2 (creek) or Zone 3 (Natural Temperate Grassland) as identified in the ecology report. If these areas cannot be avoided through design, they must be underbored.
4. Parking and access must not encroach on any Zone 3 areas.
5. Pits should not be left open overnight. If unavoidable, a barrier (e.g. temporary sediment fencing) should be installed around pits, and/or pits checked every morning by a qualified ecologist to ensure grassland fauna is not trapped.
6. A fauna spotter will be required if works are conducted during peak Striped Legless Lizard activity periods in Spring/Summer.
7. Vehicles and machinery must be clean and free of propagules prior to entering the site.
8. The works area is Bushfire Prone Land, and the following hot works risk mitigation measures must be adhered to:
 - a. The work sites are to be maintained in accordance with the ACT Emergencies Bushfire Management Standards 2025 Fuel Management Standard for Strategic Fire Advantage Zones (SFAZ).
 - b. No work is permitted on site when a Total Fire Ban is declared.
 - c. On days of High fire danger rating (FBI 25 or greater), all hot works and works that could emit a spark must cease, and the activities must be deferred until less risky conditions. Hot works include welding, cutting, grinding, or other works involving open flames or emitting sparks, such as excavating hard rock, slashing and brush-cutting.

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.