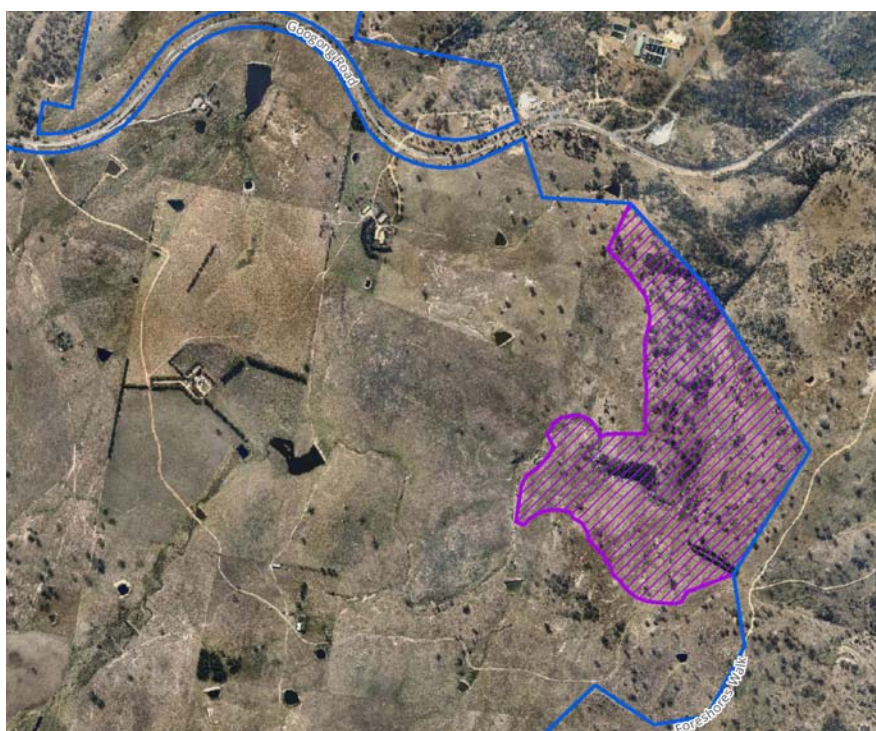


***MODIFICATION REQUEST:  
Googong Township Integrated Water Cycle  
Project***

***Stage 1 Project Approval Modification 2  
(MP08\_0236 MOD 3)***

***Change to Pink-tailed Worm-lizard Conservation  
Area Boundary***



Secretary's Environmental Assessment Report  
Section 75W of the  
*Environmental Planning and Assessment Act 1979*

October 2014

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## 1. BACKGROUND

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The Proponent has submitted a modification request to determine Modification 3 of the Googong Township Integrated Water Cycle Project to amend the boundary of the conservation area for the Pink-tailed Worm-lizard (also known as Pink-tailed Legless Lizard (*Aprasia parapulchella*)).

The Googong Township Integrated Water Cycle Project will provide potable and recycled water and sewerage services to the new town of Googong located south of Queanbeyan. A Concept Plan and Stage 1 Project were approved on 24 November 2011.

The Project has been modified twice previously, to:

- salvage a previously identified Aboriginal heritage site (approved on 22 April 2013); and
- include an additional discharge point (third) for the release of water associated with project commissioning (approved on 9 July 2014).

Googong Township Proprietary Limited (GTPL), the Proponent, recently revised and submitted for the Secretary's approval the *Googong Township Pink-tailed Worm-lizard Protection and Management Plan*, as required under condition D9. This plan includes an amended boundary of the Pink-tailed Worm-lizard conservation area and has been forwarded to both NSW Office of Environment and Heritage and the Australian Government Department of the Environment for comment. It also requires approval from the Australian Government Department of the Environment under the *Environment Protection and Biodiversity Conservation Act 1999* project approval. That approval was granted on 2 September 2014.

Both the NSW Office of Environment and Heritage and the Australian Government Department of the Environment support the boundary change and consequential amendments to the *Googong Township Pink-tailed Worm-lizard Protection and Management Plan*.

## 2. PROPOSED MODIFICATION

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The Proponent has lodged a modification request to replace the map in Appendix 2 of the Minister's approval with a map showing a new boundary of the Pink-tailed Worm-lizard conservation area.

The relevant condition is B14 which references the map (see Figure 1) in Appendix 2 and states:

*The Proponent shall establish and maintain in perpetuity a dedicated area of land on the project site for the conservation of the Pink-tailed Legless Lizard (*Aprasia parapulchella*) as outlined in the plan prepared in accordance with condition D9 and shown in Appendix 2.*

The revised conservation area boundary would result in conservation of an additional 2.01 ha of land. This includes an increase of 0.33 ha of medium quality habitat; and a decrease of 0.33 ha of low quality habitat for the Pink-tailed Worm-lizard. The revised boundary, see Figure 2, is proposed to enable a workable interface between the conservation area and the adjacent residential (Neighbourhood 1B) development.

Approval is also being sought for consequential amendments to the *Googong Township Pink-tailed Worm-lizard Protection and Management Plan* showing the revised boundary of the conservation area in accordance with condition D9. No changes are proposed to condition D9 resulting from this modification. Approval of the amended management plan is dependent on approval of this modification.

### 3. CONSULTATION

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The modification request was made available on the Department's website in line with section 75X of the EP&A Act and clause 8G of the EP&A Regulation. The request was not exhibited by any other means. No public submissions were received on the modification request.

The NSW Office of Environment and Heritage and the Australian Government Department of the Environment have reviewed this Plan and the proposed boundary changes. The Office of Environment and Heritage stated that it had no concerns with the proposed boundary changes and noted that the changes provide a more practical alignment for the fence and the addition of 5.22 ha of conservation area to the north to compensate for the loss of 3.21 ha of conservation area in the southwest.

The Department of the Environment stated that it had no further questions or comments on the proposed changes and approved the Plan on 2 September 2014 in accordance with the approval 2011/5829 under the *Environment Protection and Biodiversity Conservation Act 1999*.

### 4. DELEGATED AUTHORITY

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The Secretary may determine the modification request under delegated authority as no public submissions were received, Council do not object and no political donations has been declared.

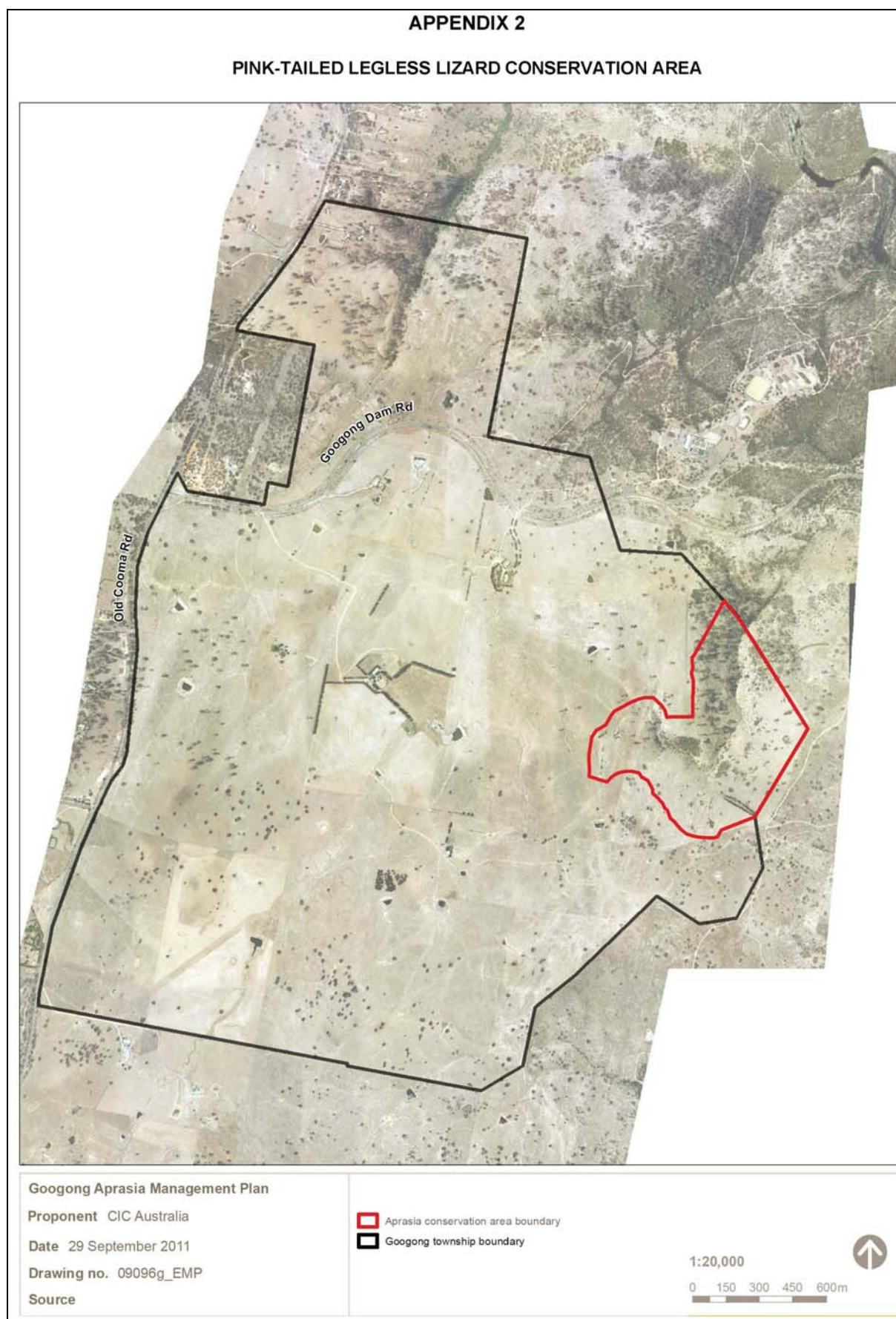


Figure 1. Map showing conservation area referred to in condition B14





**Figure 2. Proposed boundary of the Pink-tailed Worm-lizard Conservation Area**

## 5. KEY ISSUES

The Department considers that the key issue is the quality of the proposed habitat to be conserved in order to support the long term conservation of the Pink-tailed Worm-lizard.

### 5.1. Habitat Quality

The Proponent demonstrated that the proposed boundary change would result in a greater area (0.33 ha) of medium quality habitat being conserved compared to that approved as outlined in Table 1.

**Table 1. Changes in habitat extent due to the proposed conservation area boundary alterations**

Habitat quality	Habitat extent added (ha)	Habitat extent removed (ha)	Difference in habitat extent (ha)
Very high	0	0	0
High	0	0	0
Medium	2.04	1.71	+0.33
Low	0	0.33	-0.33
Non-habitat	3.18	1.17	+2.01
Total	5.22	3.21	+2.01

### Consideration

The Department has considered the proposed changes to the conservation area as outlined above and the proposed changes to the *Pink-tailed Worm-lizard Protection and Management Plan* Revision 5 which has been submitted for the Secretary's approval in accordance with Condition D9.

The Department is satisfied that whilst actual area of Pink-tailed Worm-lizard habitat (not conserved land) resulting from the boundary change would remain the same, the change increases the quality of habitat (0.33 ha of low quality habitat exchanged for 0.33 ha of medium quality habitat) that would be conserved and managed for the Pink-tailed Worm-lizard. The Department also concurs with the OEH position that the boundary change would allow for a more practical interface for management adjacent to the adjoining residential neighbourhood development.

For these reasons, the Department recommends that the modification request be approved.

## 6. RECOMMENDATION

It is RECOMMENDED that the Secretary:

- **note** the information provided in this briefing;
- **approve** the modification request, subject to conditions; and
- **sign** the attached modifying instrument (Tab A).

Prepared by:



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Recommended by:



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24.10.14