

# Planning and Development (Environmental Significance Opinion – Block 71 Molonglo – Barrer Grassland Restoration Trial) Notice 2015 (No 1)

## Notifiable Instrument NI2015–197

Made under the

**Planning and Development Act 2007 s 138AD (Requirements in relation to environmental significance opinions)**

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### 1 Name of instrument

This instrument is the *Planning and Development (Environmental Significance Opinion – Block 71 Molonglo – Barrer Grassland Restoration Trial) Notice 2015 (No 1)*.

### 2 Commencement

This instrument commences on the day after notification.

### 3 Environmental Significance Opinion

The Conservator of Flora and Fauna has prepared an Environmental Significance Opinion (ESO) under section 138AB of the *Planning and Development Act 2007* (the Act), relating to items 1 and 3 of Part 4.3 of Schedule 4 of the Act.

The text of the ESO is in the schedule.

*Note 1:* A copy of the ESO may be obtained from the Environment and Planning Directorate website:

[http://www.planning.act.gov.au/topics/design\\_build/da\\_assessment/environmental\\_assessment/environmental\\_significance\\_opinions](http://www.planning.act.gov.au/topics/design_build/da_assessment/environmental_assessment/environmental_significance_opinions)

*Note 2:* Under section 138AD(6) of the Act, the ESO and the notice including the text of the ESO expire 18 months after the day the notice is notified.

Dorte Ekelund  
Chief Planning Executive  
9 May 2015



**ACT**  
Government

Environment and Planning

Ms Dorte Ekelund  
Chief Planning Executive  
ACT Planning and Land Authority  
Dame Pattie Menzies Building  
DICKSON ACT 2602

Dear Ms Ekelund *Dorte*

This is to advise of my decision, under s.138AB(4) of the *Planning and Development Act 2007*, on the request for an Environmental Significance Opinion for the Barrer Hill grassland restoration works in Molonglo River Park. The proposal is not likely to have a significant adverse environmental impact.

Please find attached the Environmental Significance Opinion and a Statement of Reasons for the decision.

Yours sincerely

Dr A. Lane  
Conservator of Flora and Fauna

*05* May 2015

## ENVIRONMENTAL SIGNIFICANCE OPINION

In accordance with section 138AB(4) of the *Planning and Development Act 2007*, I provide the following environmental significance opinion:

### PROPONENT

Ms Sophie Clement, Project Officer, Parks and Conservation Service, Territory and Municipal Services Directorate

### LOCATION

Block 71 District of Molonglo.

### DEVELOPMENT PROPOSAL

The replacement of 2950 sq m of exotic grasses and weeds with a diverse range of native grass and forb species by way of scraping the top layer of nutrient rich soil containing the seed bank and the direct seeding the area with a native grass and forb mix.

The proponent requests the application for the development approval be assessed for an environmental significance opinion 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 to that effect.

### OPINION

Provided the works are undertaken in the manner described in the documentation as submitted, they are unlikely to cause a significant adverse environmental impact. This opinion is granted subject to the following conditions made under s138AB(4) of the Act:

- 1) That machinery movements and soil removal is undertaken by following the contours of the site;
- 2) the proponent shall install a silt fence immediately after the sowing of the grasses; and
- 3) works must comply with a construction environment management plan approved by the Environment Protection Authority addressing issues such as biosecurity of the site and sediment erosion control.

Attached is a Statement of Reasons for the decision.



Dr A. Lane  
Conservator of Flora and Fauna

05 May 2015

## STATEMENT OF REASONS REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 4 of the *Planning and Development Act 2007* – Development proposal for an activity requiring an EIS Schedule 4, being:

*Part 4.3, item 1(a) development that may impact on*  
*(a) a species or ecological community that is endangered;*  
*(b) a species that is vulnerable*

Block 71 District of Molonglo contains Box Gum Grassy Woodland (listed as critically endangered nationally and endangered in the ACT); and Pink-tailed worm lizard (listed as vulnerable both nationally and in the ACT); and

*Part 4.3, item 3 proposal for development on land reserved under s 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve.*

The area of works is within an area of special purpose reserve.

The proponent wants the application for the development approval assessed for an environmental significance opinion (ESO) 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 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 and known values of the site.

### **Project description**

The proposed works are for a trial grassland restoration designed to convert an area of exotic grasses and weeds into an area dominated by a range of native grass and forb species.

The proposed method of restoration is to scrape off the top 150mm layer of soil to remove the nutrient rich soil and then direct seed the exposed soil with native species. This is designed to not only remove the existing weeds and exotic grasses but to also remove the seed bank in the soil.

The area to be treated is 2950 sq m and will be sown with the ratio of grass to forbs approximately 80:20 by weight.

The spoil from the site will be removed in two passes and placed on the downslope sides of the site. The spoil from the final pass will be placed on the top to bury the spoil from the first pass. This will be levelled as well as practical and then sown with a pure grass mix to provide a buffer strip around the trial area.

### **Documentation Submitted**

- Report titled: Barrer Grassland Restoration Trial, Molonglo River Reserve – Barrer Restoration Project, Molonglo Valley Block 71, 17 April 2015 (Territory and Municipal Services);
- ESO Application Form 1M.

### ***Natural conservation values present***

The proposed restoration trial is to be in an area known as Misery Point and Barrer Hill. As part of the commitments contained in the strategic assessment approved in 2011 under the provisions of the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999*, the Misery Point / Barrer Hill area contains 16ha of low quality Box Gum Woodland and 18ha of *Pinus radiata* which are to be restored to good quality Box-Gum Woodland.

The site of the trial is dominated by *Phalaris aquatic*, *Setaria sp.*, *Paspalum dilatatum*, *Eragrostis*, *Carthamus lanatus* and other introduced weeds.

### **Impact on the Reserve**

The area that is subject to the trial restoration works is currently within special purpose reserve. The management objectives for a special purpose reserve as provided by the *Planning and Development Act 2007* is to provide for public and community use of the area for recreation and education. The works will not

significantly impact on this reserve as all access to the site will be by way of existing access tracks and the site is not a high use recreation area.

Should the area become nature reserve in the future then the restoration of native vegetation is in keeping with the first management objective for a nature reserve, being to conserve the natural environment

**Potentially Significant Environmental Impacts**

The restoration works will have a positive impact on the ecological values of the area if the trial is successful. The method being trialled has been successfully used in a number of other grassland restoration projects in Australia so the potential for failure is deemed to be low.

Ensuring that machinery movements and soil removal follow the contours of the site, and that a silt fence is installed immediately after the sowing of the grasses, will reduce the likelihood of adverse impacts occurring.

It has been determined that the potential for a significant adverse environmental impact is low.