

Planning and Development (Conditional Environmental Significance Opinion – Block 1442 Belconnen– Jarramlee Stock Water Plumbing) Notice 2017

Notifiable Instrument NI2017–1

Made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Block 1442 Belconnen – Jarramlee Stock Water Plumbing) Notice 2017*.

2 Conditional Environmental Significance Opinion

- (1) On 21 December 2016, the Conservator of Flora and Fauna, pursuant to section 138AB(4)(b) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to the construction of three troughs, pipes and associated infrastructure on Block 1442 Belconnen.
- (2) In this section:
Conditional environmental significance opinion means the opinion in the schedule.

Note: under section 138AD(6) of the Act, the conditional environmental significance opinion and this notice expire 18 months after the day this notice is notified.

Gary Rake
A/g Chief Planning Executive
3 January 2017

Schedule

See section 2(2)

ENVIRONMENTAL SIGNIFICANCE OPINION

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

APPLICANT

Parks and Conservation Service, Environment, Planning and Sustainable Development Directorate, as represented by Simon Tozer, Offsets Implementation Manager.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 138AA 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 the installation of three troughs, pipes and associated infrastructure in the Jarramlee Nature Reserve to enable strategic grazing to take place as described in the submission.

LOCATION

Block 1442 District of Belconnen - Jarramlee Nature Reserve

MATTERS TO WHICH THIS OPINION APPLIES

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

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.

Attached is a Statement of Reasons for the decision.



Dr A. Lane
Conservator of Flora and Fauna

21 December 2016

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 species or ecological community that is endangered, a species that is vulnerable; protected; or has special protection status;

Jarramlee Nature Reserve contains habitat and a known population of Golden Sun Moth (*Synemon plana*) listed as endangered under the *Nature Conservation Act 2014* (NCA) and critically endangered under the provisions of the Commonwealth's *Environment Protection and Biodiversity Act 1999* (EPBC), and small patches of Natural Temperate Grassland ecological community listed as endangered under the NCA and EPBC.

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 works are within an area of nature reserve.

The proponent wants the application for the development approval assessed in the merit track 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, 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 installation of three water troughs, pipes and associated infrastructure to facilitate strategic grazing of stock for the protection of the Golden Sun Moth habitat and Natural Temperate Grassland, undertake fire fuel management, and allow for the exclusion of that stock from the riparian area along Ginninderra Creek and Gooromon Ponds.

Documentation Submitted

- Statement of Works;
- Works Plan;
- Risk Assessment;
- Plumbing Map
- Map showing location of Matters of National Environmental Significance;
- Form 1M.

Natural conservation values present

Jarramlee Nature Reserve is of high conservation significance, supporting a large population of the critically endangered Golden Sun Moth and small patches of the endangered Natural Temperate Grassland ecological community. Golden Sun Moth habitat is present over the majority of Jarramlee and supports one of the largest known populations of Golden Sun Moth in the ACT.

Jarramlee Reserve is 112 ha in area containing both exotic grassland and native pasture dominated by Natural Temperate Grassland Community species e.g. speargrasses, wallaby grass and kangaroo grass, and small patches of Natural Temperate Grassland (approximately 4.65 hectares).

Gooromon Ponds Creek and Ginninderra Creek converge within the reserve. Ginninderra Creek continues to flow west to the confluence with the Murrumbidgee River approximately 4.2 kilometres from the reserve. These waterways are part of an important wildlife corridor providing important habitat for migratory birds such as the Rainbow Bee-Eater (*Merops ornatus*) and the Sacred Kingfisher (*Todiramphus sanctus*).

Both creeks also provide important habitat for other local fauna including the Striped Marsh Frog (*Limnodynastes peronii*) and Spotted Grass Frog (*Limnodynastes tasmaniensis*).

Even-aged stands of *Eucalyptus* spp. have been planted throughout the site. These trees provide important nesting and foraging habitat for locally threatened bird species such as the Diamond Firetail (*Stagonopleura guttata*) and Hooded Robin (*Melanodryas cucullata*), and landscape habitat connectivity. Other woodland and grassland birds utilising the site include the vulnerable White-Winged Triller (*Lalage sueurii*), Diamond Firetail (*Stagonopleura guttata*) and Brown Songlark (*Cinclorhamphus cruralis*).

The Dusky Woodswallow (*Artamus cyanopterus*), White-Browed Woodswallow (*Artamus superciliosus*), Diamond Firetail (*Stagonopleura guttata*) and Rainbow Bee-Eater (*Merops ornatus*) have also been observed feeding in Jarramlee (Rowell 2013a).

Jarramlee provides important habitat for the vulnerable Little Eagle (*Hieraaetus morphnoides*). A deserted nest is present in the western paddock indicating that this species has nested in Jarramlee in recent years.

Several active burrows of the Canberra Raspy Cricket (*Cooraboorama canberrae*) have been observed within the north-western part of Jarramlee (Rowell 2013a).

Eighteen per cent of golden sun moth habitat within Jarramlee is currently dominated by Chilean needle grass. Woody weeds such as blackberry, hawthorn (*Crataegus monogyna*) and firethorn (*Pyracantha* sp.) are common throughout Jarramlee. These plants are providing important habitat for woodland birds.

The site was previously extensively grazed for agricultural purposes.

Impact on the Reserve

The works will have a positive impact on the management of the reserve by:

- allowing for the exclusion of cattle from the riparian zone to assist in the vegetation growth and erosion control along the creeks, which will protect Golden Sun Moth habitat near the creeks from being lost from erosion;
- facilitate a grazing and/or burning regime to maintain understory biomass at levels that benefit the Golden Sun Moth and Natural Temperate Grassland as well as comply with the requirements of a strategic fire fighting advantage zone;
- allow for stream bank protection works at the confluence of Ginninderra Creek and Gooromon Ponds Creek;
- allow for revegetation within other sections of the riparian zone to provide habitat for woodland and migratory birds; and

- allow for the exclusion of grazing at times when the Natural Temperate Grassland patches are seeding.

Potentially Significant Environmental Impacts

As works will not be undertaken while the Golden Sun Moth is flying, and works for the installation of the pipes are being undertaken by folding back the soil and then replacing it with no imported fill being used, the impact on the reserve will be negligible. The ripping for the installation will disturb no more than a width of 0.5 metres of soil.

It has been determined that if the works are undertaken in the manner described in the documentation as submitted, they are unlikely to cause a significant adverse environmental impact.