

Planning and Development (Conditional Environmental Significance Opinion – Blocks 851, 784, 741 and 673, Gungahlin – Mulligans Flat and Goorooyarroo Nature Reserves Signage) Notice 2018

Notifiable Instrument NI2018–473

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 – Blocks 851, 784, 741 and 673, Gungahlin – Mulligans Flat and Goorooyarroo Nature Reserves Signage) Notice 2018*.

2 Conditional Environmental Significance Opinion

(1) On 20 July 2018, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to installation, on Blocks 851, 784, 741, and 673, Gungahlin, of signage within Mulligans Flat nature reserve and Goorooyarroo nature reserve.

(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 the notice is notified.

Ben Ponton
Chief Planning Executive
22 August 2018

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

ACT Parks and Conservation Service, Environment and Sustainable Development Directorate, as represented by William Batson, Sanctuary Manager, Mulligans Flat Woodland.

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 signage in Mulligans Flat Nature Reserve and Gorooyarroo Nature Reserve as described in the submission.

LOCATION

Blocks 851, 784, 741 and 673 District of Gungahlin – Mulligans Flat Nature Reserve and Gorooyarroo 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 consistent with the documentation submitted, they are unlikely to cause a significant adverse environmental impact.

Attached is a Statement of Reasons for the decision.



Ian Walker
Conservator of Flora and Fauna

20th July 2018

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;

One community listed as endangered will be impacted by the proposed works:

- Yellow Box – Blakely's Red Gum Grassy Woodland (Box-Gum Woodland), listed as critically endangered pursuant to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and endangered pursuant to the Nature Conservation Act 2014 (NC Act)

Two nationally listed species are found in the vicinity of the works:

- Golden Sun Moth (*Synemon plana*), listed as critically endangered pursuant to the EPBC Act and endangered pursuant to the NC Act
- Superb Parrot (*Polytelis swainsonii*), listed as vulnerable pursuant to both the EPBC Act and the NC Act, are known to breed in the trees immediately adjacent to the suburb of Throsby.

Species listed under the provisions of the NC Act (but not listed nationally) found in the vicinity of the works are:

- A pair of Little Eagles (*Hieraetus morphnoides*), listed as vulnerable, is likely to include the area within a large territory;
- Several NC Act listed woodland birds including Scarlet Robin (*Petroica boodang*), Hooded Robin (*Melanodryas cucullata cucullata*), Varied Sitella (*Daphoenositta chrysoptera*), and White-winged Triller (*Lalage sueurii*); and
- Perunga Grasshopper (*Perunga ochracea*), listed as vulnerable.

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 the Mulligans Flat Nature Reserve and Gurooyarroo 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

Installation of ten interpretative and locational signs to communicate key environmental messages, help visitors orientate themselves within the Sanctuary, and encourage desirable behaviours to reduce the likelihood of disturbance to conservation values.

The signs are up to 2000mm high and up to 1660mm wide.

The signs will be installed in concrete footing (holes 900mm deep max). Soil removed will be replaced over the footings with the total disturbed area being less than 31m², with a maximum of 10m² disturbed within a single block.

Documentation Submitted

- ESO Report for Installation of New Signage at Mulligans Flat Woodland Sanctuary;
- Mulligans Flat Interpretation Project Production Drawings (11 December 2017);
- Mulligans Flat Sign Graphics;
- Aerial Photograph showing sign locations
- Form 1M.

Natural conservation values present

As the signs are scattered throughout the reserves there are differing ecological values at each site.

Site 1 – Entrance to Mulligans Flat Reserve near Amy Ackman Street Forde. This site is highly disturbed with the over-story dominated by large pine trees, and the ground-layer dominated by exotic grass and weeds. Rabbits and common birds are the most commonly observed animals and the site has little or no conservation value.

Site 2 – This site is outside of the reserve area near the Mulligans Flat Reserve entry off Justice Kelly Street Forde. This location has a few large trees in an area of open grassland, with areas of regenerating Blakey's Red Gum (*Eucalyptus blakelyi*). The groundcover is dominated by (*Themeda triandra*) and Corkscrew grass (*Austrostipa scabra*). Exotic weeds are common. Golden Sun Moth (*Synemon plana*) have been observed elsewhere in this grassland, but not in the immediate vicinity of the proposed sign location

Site 3 – Mustering Track, Mulligans Flat Nature Reserve (within the area protected by the original predator proof fence). This site is within an area mapped as EPBC listed Box Gum Woodland. The sign is to be installed in a clearing adjacent to a management track that is commonly used by visitors. The ground-layer in the immediate vicinity of the sign is Kangaroo Grass (*Themeda triandra*) with no over-storey vegetation.

Sites 4 and 5 Wetlands Walk. These signs will be located at the large dam that is located within the original sanctuary area. This dam was rebuilt in 2014 and both signs are to be located in areas devoid of vegetation.

Site 6 and 7 Sammy's Hill summit. These signs will be located at the summit of Sammy's Hill in a highly disturbed area. The ground-layer in the immediate vicinity of the signs is kangaroo grass (*Themeda triandra*), with no over-story vegetation. The signs will be situated in an open area above a large rocky outcrop.

Sites 8, 9 and 10 are within the Throsby Offset area. This paddock is specifically managed for Golden Sun Moth (*Synemon plana*) and grass growth in intensively managed using conservation grazing. There are a few scattered large trees and few shrubs throughout this paddock. The ground-layer consists of a mix of various native and exotic grasses and weeds.

Site 8 is adjacent to the current fire management trail to Sammy's Hill.

Sites 9 and 10 is at the junction between the current management trail and the previously approved boardwalk which will become the walking track up to Sammy's Hill and the large Dam. This sign will be in an area of open grassland, near newly installed seating that is cut out of woody debris.

Impact on the Reserve

The signs will complement the reserves by providing educational material and way finding to enhance the visitor experience.

No Golden Sun Moth habitat or areas of Box Gum Woodland will be negatively impacted by the installation of the signs, and none are located near Superb Parrot nesting trees.

A pair of Little Eagles (*Hieraetus morphnoides*) is likely to include the area within their foraging territory. The proposal is unlikely to significantly impact upon this species as it will remove only a very small portion of potential foraging habitat. The species is not known to nest near the proposed works.

The works are unlikely to impact on any woodland birds or the Perunga Grasshopper.

Potentially Significant Environmental Impacts

The disturbance from the works is minor and the potential of the works causing a significant environmental impact is low.

It has been determined that the works are unlikely to cause a significant adverse environmental impact.