

Planning and Development (Conditional Environmental Significance Opinion – Block 11, Cotter River District, Yellow Rabbit Road – Dam Decommissioning) Notice 2019

Notifiable instrument NI2019–631

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 11, Cotter River District, Yellow Rabbit Road – Dam Decommissioning) Notice 2019*.

2 Conditional Environmental Significance Opinion

- (1) On 28 August 2019, 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 the decommissioning of a dam, on Block 11, Cotter River District, Yellow Rabbit Road.

- (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.

Brett Phillips
Delegate of the planning and land authority
11 September 2019

4. Erosion control will be considered, noting that the dam will remain as a smaller non-perennial sediment pond
5. Follow up remediation will be undertaken on any disturbed areas
6. Follow up weed control will be undertaken on any disturbed areas
7. The works plan will include protocols for dealing with any wildlife stranded in the dam basin
8. All works will be in accordance with the "protocol for cultural heritage assessment of vegetation management activities along PCS tracks and trails
9. Following release of water an inspection of the exposed or shallow dam floor for Quillwort (*Isoetes muelleri*) should occur and if present consideration should be given to translocation of plant material to nearby suitable habitat.
10. the drawdown of the water will be done in such a way that avoids creating channelling in the downstream creek line.

The following heritage management advice is provided and is required to be complied with:

11. Should Aboriginal places or objects be encountered during works, works at the heritage location/s are to cease to allow for heritage assessment and management (in accordance with Section 75 of the Heritage Act 2004) and the discovery is to be reported to ACT Heritage within five working days (in accordance with Section 51 of the Heritage Act 2004).

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO, they are unlikely to cause a significant adverse environmental impact.