

Planning and Development (Conditional Environmental Significance Opinion – Block 71, Molonglo Valley – Molonglo Landscaping Works) Notice 2017

Notifiable Instrument NI2017–664

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 71, Molonglo Valley – Molonglo Landscaping Works) Notice 2017*.

2 Conditional Environmental Significance Opinion

- (1) On 28 November 2017, 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 construction, on Block 71, Molonglo Valley, of landscaping and fixtures within the Molonglo River Park to complete recreational spaces and facilities at Barrer Hilltop, Barrer Peninsular and Coombs Peninsular.

- (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
12 December 2017

Schedule

See section 2(2)

ENVIRONMENTAL SIGNIFICANCE OPINION

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

PROPONENT

Mr Darren Le Roux, Environmental Project Officer, Parks and Conservation Service, Environment, Planning and Sustainable Development Directorate.

LOCATION

Block 71 District of Molonglo.

DEVELOPMENT PROPOSAL

Installation of the final phase of landscaping / fixtures within the Molonglo River Park to complete recreational spaces and facilities at Barrer Hilltop, Barrer Peninsular and Coombs Peninsular. The works include:

- Landscaping at Barrer Hilltop including construction of 3 stone walls, installation of 2 benches, tree and shrub planting and the placement of large rocks.
- Installation of five feature signs along an existing walking trail on the Barrer Peninsular.
- Installation of three benches along the Coombs Peninsular.

The proponent wants the application for the development approval 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) the proponent shall install a silt fence immediately after any soil disturbance;
- 2) 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.

A handwritten signature in black ink, appearing to read 'A. Lane', written in a cursive style.

Dr A. Lane
Conservator of Flora and Fauna

28 November 2017

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).

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

Landscaping at Barrer Hilltop including:

- construction of a platform with rusted steel railing and stonewall finish;
- 3 stone walls;
- installation of 2 benches;
- construction of dirt / decomposed granite paths;
- construction of decomposed granite viewing area with rusted steel railing;
- the placement of large logs and rocks as landscape features / informal seating; and
- tree and shrub planting.

The landscaping works will utilise topsoil previously scalped and stockpiled as part of the rehabilitation works undertaken in the area. Total area of disturbance is approximately 1,000m².

The installation of five customised Aboriginal artwork / interpretative signage totems alongside an existing walking trail on Barrer Peninsula that will showcase native flora and fauna of the Molonglo Valley. Five totems have been selected (rainbow bee-eater, eastern wallaroo, river she-oak, marbled gecko and chocolate lily), each of which will explain the ongoing cultural connections to these totems.

The totems will be 2.0m high and made of corten steel with cut-outs with a stainless steel centre. The interpretive part of the signs will be on a stainless steel projection with graphic and text.

Three benches will be installed on the southern side of the Molonglo River adjacent to Coombs.

Documentation Submitted

- Report titled: Molonglo Landscaping Works, Molonglo River Reserve, Molonglo Valley Block 71, 1 November 2017 (Parks and Conservation Service);
- Matters of National Environmental Significance (NES 2014-2018) Molonglo Landscaping Works, Construction Environmental Management Plan (Parks and Conservation Service); and
- ESO Application Form 1M.

Natural conservation values present

The proposed works are to occur in the areas known as Barrer Hill, and Barrer Peninsular on the northern side of the Molonglo River, and adjacent to the new suburb of Coombs on the southern side of the River. The works are in accordance with the commitments contained in NES Plan.

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).

Translocated threatened species present at the site are:

- Button Wrinklewort – ((listed as endangered both nationally and in the ACT); and
- Hoary Sunray – (listed nationally as endangered).

The following ACT protected plant species have been recorded on the broader site:

- *Discaria pubescens* (Hairy Anchor Plant)
- *Dianella longifolia* (Blue Flax Lily)
- *Diuris punctata* (Purple Diuris)
- *Desmodium brachypodum* (Large tick-trefoil)

Key restoration works undertaken to date include grassland restoration using scalping techniques, threatened species translocations, PTWL habitat restoration, coarse woody debris enhancement, native tree, shrub and groundcover plantings, establishment of a pink-tailed worm-lizard protection fence, and installation of 10 vertical habitat structures (wildlife poles and trees).

The site of the works is dominated by *Phalaris aquatic*, *Eragrostis curvula*, *Hypericum perforatum*, *Paspalum dilatatum*, *Avena sp.* and other introduced weeds.

Impact on the Reserve

Works undertaken to date within the Molonglo River Reserve include trail construction and maintenance, interpretive signage fabrication and installation, construction of recreational picnic shelters, establishment of a pink-tailed worm-lizard protection fence, and partial completion of the Reserve boundary fence. These works are the final phase to complete the recreational spaces to protect the Reserve from possible impacts from increased recreational use with the construction of the adjoining suburbs of Coombs and Wright.

The landscaping works will reuse the soil stockpiled as a result of the from grassland restoration works where the topsoil had been scraped and put aside. Both the landscaping works and the removal of the stockpiles will have a positive benefit on the Reserve.

The area that is to be the subject of the works is currently within special purpose reserve. The management objective 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 improve the visitor experience within the reserve and the proposed artwork / signage will serve as an educational tool.

The construction works will not detrimentally impact on this reserve as access for the works will be by way of existing access tracks and the site is not yet a high use recreation area. Completion of the works will have a positive impact on the reserve, enhancing the visitor experience by providing both destinations within the Park and educational experiences.

Potentially Significant Environmental Impacts

Works will not impact on the Pink-tailed worm lizard or restoration works for the areas of Box Gum Grassy Woodland. Works will be managed by Parks and Conservation staff and undertaken by suitably qualified and experienced contractors.

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