

Planning and Development (Conditional Environmental Significance Opinion – Blocks 741, 784 & 851, Gungahlin – Rabbit Eradication at Mulligans Flat Woodland Sanctuary) Notice 2019

Notifiable instrument NI2019–104

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 741, 784 & 851, Gungahlin – Rabbit Eradication at Mulligans Flat Woodland Sanctuary) Notice 2019*.

2 Conditional Environmental Significance Opinion

- (1) On 1 February 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 ecological restoration and land management activities, on Blocks 741, 784 & 851, Gungahlin, consisting of rabbit warren destruction, fumigation, poisoning and shooting.

- (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
25 February 2019

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

Mulligans Flat Woodland Sanctuary, Parks and Conservation Service, as represented by Dr Will Batson, 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 rabbit eradication works in the recently fenced southern enclosure to allow for the re-establishment, restoration and conservation of biological components as described in the submission.

LOCATION

Blocks 741, 784 and 851 District of Gungahlin - Goorooyaroo 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 following conditions, 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.

- All works are to be undertaken in accordance with the mitigation measures contained in the application for an ESO;

- All vehicles and equipment must be cleaned of weeds, soil and mud prior to entering the reserve;
- Soil disturbance is not to occur on walking bait transects (marked red on operational map) – carrot is to be distributed on the surface by hand;
- Follow up revegetation and weed control is to be undertaken on any disturbed sites; and
- Work will not occur on days of Total Fire Ban.

Attached is a Statement of Reasons for the decision.



Ian Walker
Conservator of Flora and Fauna

| February 2019

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’s *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and endangered pursuant to the *Nature Conservation Act 2014* (NC Act)

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

- Hoary Sunray (*Leucochrysum albicans* var. *tricolor*), has been recorded nearby. This species is listed as ‘endangered’ under the EPBC Act;
- A small patch of mapped habitat for the Striped Legless Lizard (*Delma impar*) is located in the southern extent of Block 742 Gungahlin. This species is listed as vulnerable pursuant to the EPBC Act and the NC Act.
- 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 (*Hieraaetus morphnoides*), listed as vulnerable, is likely to include the area within a larger territory;
- Several NC Act listed woodland birds including Brown Tree Creeper (*Climacteris picumnus victoriae*), Speckled Warbler (*Chthonicola sagittate*), 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.

Migratory species, such as the Regent Honeyeater (*Anthochaera Phrygi*), listed as critically endangered pursuant to the EPBC Act and endangered pursuant to the NCA Act, and Swift Parrot (*Lathamus discolor*) listed as critically endangered pursuant to the EPBC Act and vulnerable pursuant to the NCA Act, may visit the area on an intermittent basis to forage during movements through the region.

Part 4.3, item 2(a) the clearing of more than 0.5ha of native vegetation other than on land that is designated as a future urban area;

The proposed rabbit baiting will impact on approximately 1ha of native vegetation. Ripping of complex warrens is estimated to be undertaken on approximately 0.5ha of highly disturbed ground.

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 Goorooyarroo 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

Goorooyaroo Nature Reserve was established in 2004 in the north east of the Australian Capital Territory and borders Mulligans Flat Nature Reserve to the north. In 2018, an additional 12.5km predator proof fence was constructed creating the 801ha southern enclosure within the adjoining Goorooyaroo Nature Reserve and Throsby offset area.

The proposed works begin the process of total eradication of rabbits within the southern enclosure.

Works involve ploughing transects 2cm deep by 10cm wide and the distribution of non-baited and 1080 baited carrot in the plough line. Carrots will be distributed by hand in areas of ecological significance and where terrain is inaccessible. Baiting works will be followed by shooting both from an ATV and on foot. Complex warrens will then be ripped using a backhoe or 20 tonne excavator with a single tyne. Warrens which are within ecologically sensitive sites or which are otherwise not suitable for ripping will be fumigated which involves some digging of burrow openings, filling of openings and soil compaction.

Documentation Submitted

- Report titled: Goorooyaroo Rabbit Program
- Section 9 Requirements Supporting Document
- Pest Management Plan for the Expanded Mulligans Flat Woodland Sanctuary - Supporting Document (Ecological Horizons March 2016)
- Extension to the Mulligans Flat and Goorooyaroo Nature Reserves – Offset Management Plan (July 2015)
- Form 1M.

Natural conservation values present

Goorooyaroo Nature Reserve, including the new offset addition is of very high conservation value. This area along with Mulligans Flat Nature Reserve, protects 1384 hectares of endangered Yellow Box-Red Gum Grassy Woodland which is the largest

remaining area of box-gum woodland in the ACT and the largest conserved remnant of this woodland type nationally. Patches of natural temperate grassland also occur. The reserves are a regional stronghold for several threatened or uncommon woodland plant, grasshopper, dragonfly, springtail, lizard, bird and mammal species. They provides important habitat for the critically endangered Golden Sun Moth (*Synemon plana*) and vulnerable Superb Parrot (*Polytelis swainsonii*), as well as a small amount of habitat of the vulnerable Striped Legless Lizard (*Delma impar*). The Gorooyarroo and Mulligans Flat nature reserves are also a woodland research site of international importance.

At least 165 species of native birds, 16 native reptile species, 12 native mammal species, and 8 native frog species have been recorded in the area.

The land has a history of grazing by stock and while the impacts are still evident, the area is recovering under the current management regime.

Impact on the Reserve

Mulligans Flat Nature Reserve was established in 1994 and Gorooyarroo Nature Reserve in 2004. Both these reserves were extended in November 2014 as a result of areas being set aside as offsets under the Gungahlin Strategic Assessment.

The Mulligans Flat Woodland Sanctuary is an area of 484ha that was enclosed by a predator proof fence in 2009. The removal of feral animals (e.g. cats, foxes, rabbits and hares) has been successful as has the re-introduction of locally extinct native species such as the Eastern Bettong (*Bettongia gaimardi*), Eastern Quoll (*Dasyurus viverrinus*), and Brown Treecreeper.

In 2018, an additional 12.5km predator proof fence was constructed creating the 801ha southern enclosure within the adjoining Gorooyarroo Nature Reserve and Throsby offset area. This is the target area for this program

The proposed works will have some negative impacts which is primarily short-term vegetation disturbance. There is also the potential for minimal disturbance to golden sun moth caterpillars and some non-target species uptake of 1080 bait. The Conservator of Flora and Fauna has had much involvement in the development of this proposal and through careful work area selection, works methods and conditions, considers that the proposed rabbit eradication works will not result in an overall significant impact.

The eradication of competitors (rabbits) and the subsequent removal of predators will have a positive impact on the reserves and native wildlife over time.

Potentially Significant Environmental Impacts

It is considered that the proposed rabbit eradication works will not result in an overall significant impact as:

- The activity occurs well outside the breeding season of the Superb Parrot, and at a time that this species is making very little use of the general reserve area;
- The proposal avoids working within the known or probable habitat of the Striped Legless Lizard;
- The proposal avoids ripping within areas of recorded high or moderate densities of the Golden Sun Moth.
- The nature of the ploughing, where swards are lifted rather than dug, together with the current low weed occurrence in the native pasture understorey means that there is high certainty that the impact on the native grass understorey will be short, the ground cover will quickly restore and grow over the area of disturbance and hence have minimal impact to Golden Sun Moth caterpillars feeding on the roots of certain grass species;
- In previous translocation experiments where many kilometres of rip lines were dug across high density habitat so that caterpillars could be collected no damaged, cut or squashed caterpillars were observed while the few exposed dug quickly back into the soil.
- The ripping avoids damaging any ground cover with a moderate or high native forb diversity. Rather than being placed within ripped furrows, carrot in these areas will be distributed by hand over the surface;
- The ripping will not occur in rocky areas or close to tree trunks;
- The baiting is targeted to key areas of rabbit infestation rather than being broadcast over the whole area. The baiting blocks constitute about 22% of the total area. This targeted approach reduces the likelihood of non-target uptake and increases the likelihood that the targeted pest will take the baits
- The baiting is utilising best practice technique;
- Although the baiting may result in the death of a small number of kangaroos, wallabies, possums or shingle back lizards, it is likely that there will be a boost in the population numbers of these species once a major competitor (the rabbit) has been removed from their habitat. Given that the baiting is part of a wider project that will also remove foxes, cats and roaming dogs from the fenced area, it is likely that populations of possible non-target species will be favoured in the future;
- Secondary poisoning of predators and scavengers is minimised by collection of carcasses, and use of 1080 rather than Pindone to which birds of prey are more susceptible; and
- The area is fenced which reduces the likelihood of native predators (Quolls) and non-constrained cats and dogs moving into the area and taking carcasses or poisoned rabbits.

This opinion is given subject to the following conditions:

- All works are to be undertaken in accordance with the mitigation measures contained in the application for an ESO;
- All vehicles and equipment must be cleaned of weeds, soil and mud prior to entering the reserve;
- Soil disturbance is not to occur on walking bait transects (marked red on operational map) – carrot is to be distributed on the surface by hand;
- Follow up revegetation and weed control is to be undertaken on any disturbed sites; and
- Work will not occur on days of Total Fire Ban.

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.