

Planning and Development (Conditional Environmental Significance Opinion – Block 741, Gungahlin – Goorooyarroo Site Works Compound) Notice 2021 (No 1)

Notifiable instrument NI2021–384

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 741, Gungahlin – Goorooyarroo Site Works Compound) Notice 2021 (No 1)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Conditional environmental significance opinion

- (1) On 25 May 2021, 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 a permanent storage compound at Goorooyarroo Nature Reserve, on Block 741, Gungahlin.

- (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
24 June 2021

Schedule

See section 3(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, Planning and Sustainable Development Directorate, as represented by Ren Webb, Ranger.

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 permanent retention of a previously temporary site works compound as described in the submission.

LOCATION

Rural Block 741, District of Gungahlin, within Goorooyarroo Nature Reserve.

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, 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. Appropriate vehicle, machinery and equipment hygiene is to continue. Prior to entering the reserve vehicles, machinery and equipment must be cleaned and free of any plant material or soil;
2. A site management plan that details the location and extent of stockpiles is to be provided to the Conservator for endorsement;

3. Material storage areas (including vehicles, machinery, equipment, and stockpiles) external to the fenced compound are not to be expanded and must be wholly constrained to their existing extent.
4. Materials sourced and stockpiled on site must be locally acquired and/or free of any material that might present a risk of weed incursion/spread or potential contamination.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'Ian Walker', with a long horizontal flourish extending to the right.

Ian Walker
Conservator of Flora and Fauna

25 May 2021

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;

The area contains:

One community listed as endangered being Yellow Box - Blakely's Red Gum Grassy Woodland (Box-Gum Woodland);

Eight animal species listed as threatened under the Nature Conservation Act 2014:

- Golden Sun Moth (*Synemon plana*)
- Perunga Grasshopper (*Perunga ochracea*)
- Superb Parrot (*Polytelis swainsonii*)
- Hooded Robin (*Melanodryas cucullata*)
- Scarlet Robin (*Petroica boodang*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Little Eagle (*Hieraaetus morphnoides*)
- White-Winged Triller (*Lalage sueurii*)

One plant species listed as threatened being Hoary Sunray (*Leucochrysum albicans* var. *tricolor*).

Threatened migratory species, such as the Regent Honeyeater (*Anthochaera phrygi*) and Swift Parrot (*Lathamus discolor*) may visit the area on an intermittent basis to forage during movements through the region.

Part 4.3, item 3 proposal for development in a reserve;

The site compound is within Gorooyarroo 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

A small temporary works compound was constructed in Goorooyaroo Nature Reserve to facilitate the construction of a predator proof fence. The compound is 1.3 kilometres north of the main entrance to the reserve on Horse park drive, on the main road (Pipeline track) through the reserve.

This compound has been retained since the completion of the fence to store machinery, equipment and materials critical to the day-to-day management of the reserve. This application seeks to retain the compound permanently.

The compound is 25m x 25m and has a 1.8m tall wire mesh fence around it with a locked gate. The compound consists of:

- A small site office with an attached plastic water tank
- Two 20ft shipping containers
- A porta-loo with an in-ground plastic holding tank
- Storage of equipment & machinery e.g. box trailers and a tractor
- Piles of gravel and clay stored externally to the north and east.

The total area of the compound and material storage areas is approximately 0.12ha.

Documentation Submitted

- Goorooyaroo Site Compound ESO Application;
- 3200L holding tank details;

- 5000L water tank details;
- Portable cabin (site office) details;
- Images of the holding tank, office floorplan, shipping containers and toilet compound;
- Form 1M.

Natural conservation values present

Goorooyarro Nature Reserve is of very high conservation value. This area, along with Mulligans Flat Nature Reserve protects 1384ha of endangered Box Gum Grassy Woodland which is the largest remaining area of Box Gum Woodland in the ACT and largest conserved remnant of this woodland type nationally.

The reserves are a regional stronghold for several threatened or uncommon woodland plant, grasshopper, dragonfly, springtail, lizard, bird, and mammal species. They provide important habitat for the critically endangered Golden Sun Moth and vulnerable Superb Parrot, threatened woodland birds, as well as a small amount of habitat of the vulnerable Striped Legless Lizard (*Delma impar*). The Goorooyarro 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

The location of the compound has been well chosen as it was a cleared, degraded area adjacent to the main road through the reserve. Impacts to vegetation are minimal and are unlikely to impact any fauna species. The compound and adjacent storage areas serve a vital function in the maintenance and management of the reserve.

Weed hygiene conditions have been implemented and will continue to be implemented.

Potentially Significant Environmental Impacts

Works have been limited to previously disturbed areas and are unlikely to impact on rare plants or animals.

Conditions have been included to ensure that ongoing vehicle access and management of the site will not impact surrounding areas or increase the likelihood of introduction or spread of weeds:

1. Appropriate vehicle, machinery and equipment hygiene is to continue. Prior to entering the reserve vehicles, machinery and equipment must be cleaned and free of any plant material or soil;
2. A site management plan that details the location and extent of stockpiles is to be provided to the Conservator for endorsement;
3. Material storage areas (including vehicles, machinery, equipment, and stockpiles) external to the fenced compound are not to be expanded and must be wholly constrained to their existing extent.
4. Materials sourced and stockpiled on site must be locally acquired and/or free of any material that might present a risk of weed incursion/spread or potential contamination.

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.