



ENVIRONMENTAL SIGNIFICANCE OPINION - Mitchell Stormwater Crace Grasslands (ESO 202500003)

In accordance with section 140 (4) of the *Planning Act 2023* (the Act), I provide the following environmental significance opinion:

APPLICANT

Icon Water, as represented by Mr Michael Smith, Senior Environmental Scientist.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 140 (4) 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 a new vehicle crossing point and riprap protection for stormwater discharge into the Crace Grasslands nature reserve as described in the submission.

LOCATION

Works are located in Block 6 Section 17 Mitchell.

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

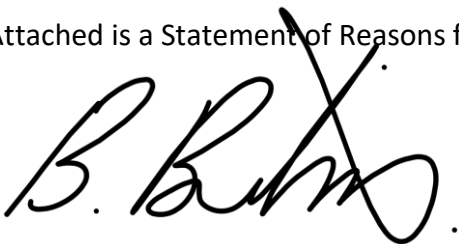
Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.

2. Works to be conducted when air temp is above 20 degrees to ensure Striped Legless-lizards are mobile.
3. If any native vertebrate fauna is found on the works area, work must stop immediately, and the animal moved to a safe location in adjacent habitat.
4. Machines to have rubber tracks if possible.
5. All vehicles must be washed down prior to entering the Nature Reserve to ensure that no soil or plant material is transported into the reserve.
6. Rip rap rock to be free of dirt/material.
7. Any fill used is to be free from seeds and any plant material. This fill must be subsoil material that is not part of any soil seed bank.
8. Works to be completed to the satisfaction of the Parks and Conservation Service.
9. Site remediation plan to be agreed to prior to works, i.e. grass seed, weed control etc.
10. Rehabilitation works must use the species list for Nature Reserves provided in the ESO document.
11. All hot works during construction must be undertaken consistent with the Hot Works permit system. No hot works are to be undertaken in Total Fire Ban conditions
12. Construction of the crossing is required to comply with the ACT Bushfire Management Standards for Tankers, with a width of 4m and maximum grade of 15 degrees.
13. The proponent must allow random compliance inspection by Conservation Officers as requested if the Conservator of Flora and Fauna.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'B. Burkevics', with a large, stylized flourish extending upwards and to the right.

Bren Burkevics
Conservator of Flora and Fauna

13 February 2025

STATEMENT OF REASONS REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – requiring environmental impact statement, being:

Part 1.2, item 18 - proposal for development in a reserve, unless the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014, section 318A;

The proposed works are within Crace Grasslands Nature Reserve.

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement 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 for an opinion 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

The development proposal is for installation of a new vehicle crossing point and riprap protection for stormwater discharge into the Crace Grasslands nature reserve.

Icon Water is in the process of constructing a new warehouse (under approved DA 202342348) adjacent to the Crace Grasslands nature reserve. Stormwater on site collects and discharges into a natural swale running approximately 100m into the reserve. Icon Water maintains this swale under the Site Management Agreement between Icon Water and the Conservator.

Proposed works include the following:

- Installing a new vehicle crossing point across the stormwater swale, to provide access for PCS. A location will be excavated to 0.5m deep and overlaid with heavy duty geotextile, before spreading crushed rock on top.
- Installing new riprap outlet scour protection. This will be 3.6m long x 3.6m wide, and consist of rocks to be concreted in to reduce erosive forces associated with the discharge.
- Machinery will follow the warehouse fence line and stormwater swale to minimise impact of the rest of the reserve.

The proposal site is approximately 1.21ha and is zoned 'NUZ3: HILLS, RIDGES AND BUFFER AREAS' under the Territory Plan. The site is within the Crace Grasslands nature reserve, and is bordered by the Mitchell light industrial area to the north and grasslands to the south. The site is mapped as Bushfire Prone land.

Documentation Submitted

- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

Crace Grasslands Nature Reserve is a 159-hectare grassland protected area in the Gungahlin Valley. The reserve protects a large remnant of critically endangered Natural Temperate Grasslands, as well as providing important habitat for threatened species such as Button Wrinklewort, Golden Sun Moth and Striped Legless-lizard.

Approximately 500 animal species, with at least 5 species listed as threatened under the *Nature Conservation Act 2014* have been recorded within a 500m radius / known to occur in proximity of the development site:

- Button Wrinklewort (*Rutidosis leptorhynchoides*)
- Perunga grasshopper (*Perunga ochracea*)
- Key's Matchstick Grasshopper (*Keyacris scurra*)
- Golden Sun Moth (*Synemon plana*)
- Striped Legless-lizard (*Delma impar*)

The site is a stormwater swale surrounded by open grassland with high amounts of grass coverage such as Windmill Grass (*Chloris truncata*), Speargrass (*Austrostipa spp.*) and Poa (*Poa spp.*). Common rushes (*Juncus spp.*) are present along the swale, with a low density of weeds including Serrated Tussock (*Nassella trichotoma*) and St John's Wort (*Hypericum perforatum*) among the surrounding grassland.

Potentially Significant Environmental Impacts

The proposed works are unlikely to result in a significant impact to a protected matter. While Golden Sun Moth and Striped Legless-lizard are known to exist on the site, works will be limited to the fence line and stormwater swale. Neither species utilize wet and inundated habitat so works are unlikely to impact either species. Due to the very small scale of the works, it is unlikely to require a fauna spotter present during works or undertake a salvage survey prior to works commencing.

Conditions have been included to ensure that works minimise impact to the grasslands and native vertebrate fauna.

1. Conditions of approval including mitigation measures as stated in the application.
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4. Machines to have rubber tracks if possible.
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8. Works to be completed to the satisfaction of PCS.
9. Site remediation plan to be agreed to prior to works, i.e. grass seed, weed control etc.
10. Rehabilitation works must use the species list for Nature Reserves provided in the ESO document.
11. All hot works during construction must be undertaken consistent with the Hot Works permit system. No hot works are to be undertaken in Total Fire Ban conditions
12. Construction of the crossing is required to comply with the ACT Bushfire Management Standards for Tankers, with a width of 4m and maximum grade of 15 degrees.
13. The proponent must allow random compliance inspection by Conservation Officers if requested by the Conservator of Flora and Fauna.

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.