
**ENVIRONMENTAL SIGNIFICANCE OPINION - BLOCK 820 GUNGAHLIN -
Nadjung Mada Stock Fencing & Stock Water Infrastructure (ESO 202300055)**

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

APPLICANT

ACT Parks and Conservation Service, as represented by Mr Iain Campbell-Smith, Infrastructure Officer.

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 proposed stock fencing and stock water infrastructure within Nadjung Mada as described in the submission.

LOCATION

Block 820 Gungahlin - Nadjung Mada 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 s140 (4)(b) of the Act:

- 1) The installation of the pipeline and strainer posts do not take place whilst Striped Legless Lizard eggs could be in the ground (Dec-Feb).
- 2) No work is permitted on site when a Total Fire Ban is declared by ESA.

- 3) On days of High fire danger rating (FBI 25 or greater) all hot works and works that could emit a spark must cease.
- 4) Hot works activities must otherwise be deferred to be undertaken under less risky conditions and consideration given to what mitigations measures such as fire suppression equipment can be implemented. The daily rating and a four-day outlook are available during the declared bushfire danger period at <https://esa.act.gov.au/> for the proponent to assess risks. Hot works includes; welding, cutting, grinding, or other works involving open flames or which emit a spark such as excavating hard rock, slashing and brush-cutting.

Attached is a Statement of Reasons for the decision.

Bren Burkevics
Conservator of Flora and Fauna
January 2024

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 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

- (a) a critically endangered species;*
- (b) an endangered species;*
- (c) a vulnerable species;*
- (d) a conservation dependent species;*
- (e) a regionally threatened species;*
- (f) a regionally conservation dependent species;*
- (g) a provisionally listed threatened species;*
- (h) a listed migratory species;*
- (i) a threatened ecological community;*
- (j) a protected native species;*
- (k) a Ramsar wetland;*
- (l) any other protected matter*

Nadjung Mada Nature Reserve contains critically endangered Yellow Box- Blakely's Red Gum Grassy Woodland and five animal species listed as threatened under the Nature Conservation Act 2014:

- Striped Legless Lizard (*Delmar impar*)
- White-Winged Triller (*Lalage sueurii*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Antheliid moth (*Pterolocera*)
- Perunga grasshopper (*Perunga ochracea*)

Nadjung Mada is also an important habitat corridor used by the Superb Parrot (*Polytelis swainsoni*), which is listed as nationally vulnerable.

Part 1.2, item 18 – proposal for development is in a reserve.

The proposed works are located within Nadjung Mada 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

Nadjung Mada is an environmental offset associated with the Gungahlin Strategic Assessment. The key matters of national environmental significance (MNES) protected within the reserve include Yellow Box- Blakely's Red Gum grassy woodland, Striped Legless Lizard (SLL)(*Delma impar*) and is a corridor for Superb Parrot (*Polytelis swainsoni*).

Following a Ministerial decision, the rural leases which existed over the nature reserve were withdrawn in August 2021 following Variation 379 to the Territory Plan. ACT Parks and Conservation has resumed management of the site and is undertaking the appropriate works toward implementing the Offset commitments and dealing with the current and future impacts of the neighbouring development.

This ESO relates to the construction of approximately 2.27km of new fence, 1.9km of plumbed line and the installation of 3 concrete water troughs on 3m x 3m concrete pads within the Nadjung Mada Nature Reserve.

The new section of fence will separate the paddocks for improved grazing practices by reducing the size of the grazing paddocks and separating the grassland from the

woodland. The fence is comprised of 4 plain wires with hinge joint to exclude sheep and cattle and includes 18 new strainer posts, 6 vehicle gates and 2 pedestrian gates in accordance with the Parks and Conservation Service fencing and gate specifications and fauna-friendly designs.

The water troughs are required for permanent water sources for stock as there are not currently dams in all the areas that will become separate paddocks. It will also mean that the current dams could be secluded and rehabilitated if desired.

To feed the water troughs, approximately 1.9km of 50mm blueline poly-pipe will be installed through the nature Reserve. The installation of the poly-pipe comprises of using a tractor to rip a line 20cm to 30cm deep, feed the line into the rip and push the disturbed material back into the rip line. This will all happen in one pass of the tractor so the rip line will not be left open for any amount of time.

Documentation Submitted

- Environmental Significance Opinion – Supporting Statement
- Letter of Authorisation
- Form 1M.

Natural conservation values present

The woodland of Nadjung Mada Nature Reserve provides a wildlife movement corridor between Gorooyarroo and Mulligans Flat nature reserves, and native woodland and forest southward in the Watson and Mount Majura area.

Five animal species listed as threatened under the Nature Conservation Act 2014 have been recorded as being present in the Reserve:

- Striped Legless Lizard (*Delmar impar*)
- White-Winged Triller (*Lalage sueurii*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Antheliid moth (*Pterolocera*)
- Perunga grasshopper (*Perunga ochracea*)

Superb Parrots (*Polytelis swainsoni*) use this reserve as a link between breeding sites and foraging habitat during breeding season while feeding their nestlings.

Potentially Significant Environmental Impacts

Alignment of the fence and rip lines for the piping is all within current slash lines that have been used for access, to minimise disturbance to vegetation and the Yellow Box- Blakely's Red Gum community. Mature trees will not be impacted, and construction will occur outside of the dripline of these mature trees to prevent indirect impacts. No trees or saplings will be removed.

The water troughs will be situated away from Mature trees and their driplines. The area chosen for the water troughs is dominated by non-native grasses, specifically Wild Oats.

Appropriate mitigation strategies have been included in the ESO proposal to minimise the risk of any impact to SLL populations or habitat. Ecologists will be on site during the installation of all posts and rip lines, and activity will only occur during times when the SLL are active.

Conditions have been included to ensure that works do not increase the possibility of unexpected fire ignitions and restricts the works to times of the year when SLL eggs are not likely to be on the ground.

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.