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**ENVIRONMENTAL SIGNIFICANCE OPINION - BLOCK 2/8 Hume – subdivision of block (ESO 202400016)**

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

**APPLICANT**

Suburban Land Agency, as represented by Grant Rootes, Senior Project Manager.

**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 subdivision and associated works within the former weighbridge facility block, including the removal of redundant on-site infrastructure (including buildings and the former weighbridge), removal or modification to existing stormwater, sewer, electrical and comms infrastructure, and the removal of dead trees or those posing a risk to public safety.

**LOCATION**

The proposed development is located at Block 2, Section 8, Hume.

**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 submission.
2. All remnant trees in the study area are to be retained where possible. Planted trees and other native vegetation are also to be retained where possible. A qualified arborist must assess the condition of all trees in the study area and only remove or prune trees where necessary for public safety, after receiving the appropriate approvals.
3. The two new separate blocks are identified as Bushfire Prone Areas on ActMapi and as such will be required to have their own separate Asset Protection Zones.
4. Development within Bushfire Prone Areas must follow the conditions of the Bushfire Management Standards 2023, which will likely require some minimal treatment of the vegetation in order to comply with APZ Requirements.
5. Should this proposal progress to Development Application stage a Bushfire Risk Assessment will need to be provided for consideration.
6. The proposed works may be subject to random compliance inspection by Conservation Officials as requested by the Conservator of Flora and Fauna.

Attached is a Statement of Reasons for the decision.

Bren Burkevics  
Conservator of Flora and Fauna  
May 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*

The proposed development site contains Yellow Box / Blakely's Red Gum Grassy Woodland, an endangered ecological community listed under the national *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *ACT Nature Conservation Act 2014* (NC Act).

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**

The former Hume Weighbridge facility on Block 2 Section 8 Hume is redundant infrastructure. The Suburban Land Agency (SLA) proposes subdividing the current site area into two independently serviced blocks and then releasing them to market to complement the existing uses in the Hume industrial area.

The project involves the SLA subdividing the block and then undertaking civil works to underground existing overhead electrical powerlines outside the site boundaries, along with the construction of two new driveways, a new sewer pipe and connection, and a new water pipe and connection. Within the site boundaries the SLA will remove the existing buildings, redundant weighbridge and utility infrastructure, and any dead trees that pose a risk to public safety.

### **Documentation Submitted**

- Ecological Impact Assessment report by Capital Ecology (9 March 2024);
- Environmental Significance Opinion Supporting Statement;
- Letter(s) of Authorisation; and
- Form 1M.

### **Natural conservation values present**

The site was a former weighbridge facility in an industrial zone. It has been heavily disturbed and partially cleared, with the construction of a large driveway and multiple buildings.

The site contains approximately 0.16ha of Yellow Box / Blakely's Red Gum Grassy Woodland, and approximately 0.39ha of native vegetation.

The vegetation has been highly modified, with only a few scattered remnant trees remaining in the adjacent woodland block. The understorey is dominated by mostly exotic grasses and contains several Weeds of National Significance, e.g. African Lovegrass, Serrated Tussock, etc.

No threatened species were recorded during the field survey, and no listed species were previously recorded in the area. Given the high degree of land modification and current dominance of exotic grasses and weeds, the likelihood of occurrence of listed species in the area is considered unlikely.

### **Potentially Significant Environmental Impacts**

The proposed development will result in the below minor environmental impact:

- Clearance of approximately 22m<sup>2</sup> of Yellow Box / Blakely's Red Gum Grassy Woodland;
- Clearance of approximately 76m<sup>2</sup> of NC Act native vegetation; and
- Damage to or removal of a small number of regulated and/or non-regulated trees.

The proposed development is unlikely to have any significant environmental impact due to the following reasons:

1. The site does not meet the criteria for EPBC Act Box-Gum Woodland, and only meets the criteria under the NC Act as a low condition Box-Gum Woodland.
2. The proposed development is unlikely to impact any EPBC Act and/or NC Act listed threatened species due to the low condition of Box-Gum Woodland on site.
3. All mature and non-mature trees will be retained where safe to do so, and the minimal extent of native tree clearing will not trigger Key Threatening Process 3a. Loss of mature native trees (including hollow-bearing trees) and a lack of recruitment under the NC Act.
4. The site is located in a heavily modified industrial area. The small scale of proposed impact and vegetation removal will not trigger Key Threatening Process 3b. Unnatural fragmentation of habitats under the NC Act.

The ecological impact assessment has noted the following avoidance and mitigation measures on impacting environmental values during works:

- Requirement of obtaining approval from the ACT Conservator of Flora and Fauna, prior to removing any protected tree or undertaking any tree damaging activity or groundwork in the study area.

- Weed management practices, including maintaining vehicle hygiene and use of sterile materials for soil stabilisation.

Conditions have been included to further minimise any potential impacts to conservation values.

1. Conditions of approval including mitigation measures as stated in the submission.
2. All remnant trees in the study area are to be retained where possible. Planted trees and other native vegetation are also to be retained where possible. A qualified arborist must assess the condition of all trees in the study area and only remove or prune trees where necessary for public safety, after receiving the appropriate approvals.
3. The two new separate blocks are identified as Bushfire Prone Areas on ActMapi and as such will be required to have their own separate Asset Protection Zones.
4. Development within Bushfire Prone Areas must follow the conditions of the Bushfire Management Standards 2023, which will likely require some minimal treatment of the vegetation in order to comply with APZ Requirements.
5. Should this proposal progress to Development Application stage a Bushfire Risk Assessment will need to be provided for consideration.
6. The proposed works may be subject to random compliance inspection by Conservation Officials as 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.