
**ENVIRONMENTAL SIGNIFICANCE OPINION - Sulwood Drive Intersection
(ESO202400027)**

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

APPLICANT

SMEC Australia Pty Ltd, as represented by Mrs Negar Yazdi, Senior Urban Planner.

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 upgrades to the Mannheim Stret / Sulwood Drive intersection in Kambah to improve road safety as described in the submission.

LOCATION

The site is located in Block 1 Section 422 Kambah.

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. Signage must be installed on the Mount Taylor Nature Reserve boundary fence indicating that it is a sensitive environmental area and that access is not permitted without ACT Parks and Conservation Service (PCS) agreement. The signs should be placed no more than 100m apart.
3. To protect Mount Taylor Nature Reserve from invasive weeds:
 - prior to work commencing in the area all vehicle or plant must be cleaned with a high-pressure cleaner to remove all dirt and plant material, to prevent the introduction of new and existing weed species to the road verge / nature reserve interface;
 - any fill laid adjacent to the reserve must be free of seeds, debris and rubbish such as glass, ceramic and plastics. This fill must be subsoil material that is not part of any soil seed bank. No topsoil from outside the site can be used as fill adjacent to the reserve unless it is certified weed free; and
 - at the completion of works the Contractor must establish a vegetation cover using species approved by PCS over any areas disturbed during earthworks.
4. Alternate species for replanting must be submitted to and endorsed by the Conservator of Flora and Fauna prior to planting commencing.
5. The proposed works may be subject to random compliance inspection by Conservation Officers 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

06 June 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 25 - proposal that is likely to result in a key threatening process under the Nature Conservation Act 2014

The proposed works will result in the removal of 16 Mature Native Trees on the site, and may result in the key threatening process of Loss of Mature Native Trees and Lack of Recruitment.

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

This project is for the proposed upgrade to the Mannheim Street/Sulwood Drive intersection in Kambah. The primary driver of this project is to improve the safety of motorists and pedestrians entering the adjacent Mount Taylor Nature Reserve from the carpark on Sulwood Drive.

Sulwood Drive is located at the northern edge of the suburb of Kambah and along the southern boundary of the Mount Taylor Nature Reserve. Westbound motorists on Sulwood Drive often perform illegal right turns into the carpark entry that is situated a relatively short distance from the Mannheim Street and Sulwood Drive intersection. This is likely to result in severe or fatal crashes if not addressed.

Upgrades to the intersection and proposed improvements for the access and egress from the carpark consists of the following:

- Signalised intersection providing safe movement for vehicles through phasing, and pedestrian crossings on Mannheim Street, and the western approach leg of Sulwood Drive.
- Links into the proposed shared user path to provide connection to community path network for Kambah residents to Mount Taylor Reserve.
- Dedicated right turn lane from Sulwood Drive into the entrance of the carpark.
- Dedicated acceleration lane for vehicles exiting the carpark and traveling westbound on Sulwood Drive.
- Raised medians separating traffic directions, housing signals, and allowing pedestrian movement.
- Pavement widening and new stormwater infrastructure.
- Uncontrolled right turn movement across Sulwood Drive for westbound motorists to access carpark, and eastbound motorising exiting the carpark.

The project will remove 27 trees, of which 16 are Mature Native Trees.

Disturbance associated with this project will only occur on the southern side of the existing road pavement, and within the existing hardstand car park at the entry to Mount Taylor.

The project alignment was adjusted to ensure sufficient clearance was provided to high value trees, and to retain significant trees where possible.

Documentation Submitted

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

Natural conservation values present

Mount Taylor Nature Reserve lies along the north of the area of proposed works on Sulwood Drive. The reserve has a high-quality complex of critically endangered Yellow Box – Blakely’s Red Gum grassy woodland, and forms part of an extensive remnant woodland landscape with the adjacent Farrer Ridge and Oakley Hill Nature Reserves in southern Canberra.

Over 500 species have been recorded within 1000m of the site, with at least 7 species listed as threatened under the *Nature Conservation Act 2014*:

- Silky Swainson-Pea (*Swainsona sericea*)
- Small Purple Pea (*Swainsona recta*)
- White-throated Needletail (*Hirundapus caudacutus*)
- Scarlet Robin (*Petroica boodang*)
- Grey-headed Flying-fox (*Pteropus poliocephalus*)
- Pink-tailed Worm-lizard (*Aprasia parapulchella*)
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)

All areas directly impacted occur along the Sulwood Drive road reserve and are mapped as “Urban and developed areas” under the ACT GOV Vegetation Classification. Vegetation at site level is limited to the road verge and mostly consists of planted native trees and shrubs with mown native and exotic grasses. As all works will be contained to existing hardstand areas and will not encroach into the reserve, it is not anticipated works will impact on threatened species.

Potentially Significant Environmental Impacts

The proposed development will result in the removal of 16 Mature Native Trees.

This project is assessed as unlikely to have a significant adverse environmental impact due to the following considerations:

- The location is part of the Sulwood Drive road reserve and is not part of the ecological network.
- Trees proposed for removal have not been mapped as possessing particular connectivity value though they do form part of the widespread connected bird habitat.

- There are no hollows in the trees, nor any records of stick nests.
- The project site does not have any records of threatened species that may be impacted by the loss of Mature Native Trees.
- The number of trees removed in this proposal is a very small percentage of the trees (2.8%) within the Sulwood Drive road reserve.
- The need to remove the trees have been justified in the road design with other options having been explored but found to be non-viable.

Replanting works will be undertaken within designated replanting zones to replace the removed vegetation and ensure future mature native tree recruitment.

It is noted that the following proposed species for replanting are not indigenous to the ACT and some are known to pose a minor risk of becoming weedy.

- *Callistemon salignus*
- *Hakea nodosa*
- *Melaleuca erubescens*
- *Grevillea poorinda*
- *Myoporum parvifolium*

Alternate species are recommended to prevent risk of spreading into Mount Taylor Nature Reserve.

Conditions have been included to ensure that works will not impact the adjacent Mount Taylor Nature Reserve:

1. Conditions of approval including mitigation measures as stated in the submission.
2. Signage must be installed on the Mount Taylor Nature Reserve boundary fence indicating that it is a sensitive environmental area and that access is not permitted without ACT Parks and Conservation Service (PCS) agreement. The signs should be placed no more than 100m apart.
3. To protect Mount Taylor Nature Reserve from invasive weeds:
 - prior to work commencing in the area all vehicle or plant must be cleaned with a high-pressure cleaner to remove all dirt and plant material, to prevent the introduction of new and existing weed species to the road verge / nature reserve interface;
 - any fill laid adjacent to the reserve must be free of seeds, debris and rubbish such as glass, ceramic and plastics. This fill must be

subsoil material that is not part of any soil seed bank. No topsoil from outside the site can be used as fill adjacent to the reserve unless it is certified weed free; and

- at the completion of works the Contractor must establish a vegetation cover using species approved by PCS over any areas disturbed during earthworks.
4. Alternate species for replanting must be submitted to and endorsed by the Conservator of Flora and Fauna prior to planting commencing.
 5. The proposed works may be subject to random compliance inspection by Conservation Officers 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.