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## **ENVIRONMENTAL SIGNIFICANCE OPINION - Athllon Drive Duplication – Southern Section ESO202342431**

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

### **APPLICANT**

SMEC Australia, as represented by 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 the duplication of a 2.4km section of Athllon Drive between Drakeford Drive and Sulwood Drive as described in the submission.

### **LOCATION**

- Block 26, Section 206 Tuggeranong Wanniasa
- Block 37 Section 205 Tuggeranong Wanniasa
- Block 36 Section 205 Tuggeranong Wanniasa
- Block 2 Section 288 Tuggeranong Wanniasa
- Block 14 Section 204 Tuggeranong Wanniasa
- Block 8 Section 282 Tuggeranong Wanniasa
- Block 6 Section 201 Tuggeranong Wanniasa
- Block 3 Section 101 Tuggeranong Wanniasa
- Block 1 Section 101 Tuggeranong Wanniasa
- Block 2 Section 101 Tuggeranong Wanniasa
- Block 15 Section 489 Tuggeranong Kambah
- Block 24 Section 474 Tuggeranong Kambah

- Block 1 Section 474 Tuggeranong Kambah
- Block 25 Section 474 Tuggeranong Kambah
- Block 16 Section 475 Tuggeranong Kambah
- Block 15 Section 476 Tuggeranong Kambah
- Block 9 Section 477 Tuggeranong Kambah
- Block 8 Section 478 Tuggeranong Kambah
- Block 1 Section 2 Tuggeranong Kambah
- Block 3 Section 2 Tuggeranong Kambah
- Section 2 Block 2 Tuggeranong Kambah
- Block 32 Section 483 Tuggeranong Kambah
- Block 33 Section 483 Tuggeranong Kambah
- Block 34 Section 483 Tuggeranong Kambah
- Block 31 Section 483 Tuggeranong Kambah
- Block 27 Section 499 Tuggeranong Kambah
- Block 28 Section 499 Tuggeranong Kambah
- Block 33 Section 497 Tuggeranong Kambah
- Block 15 Section 496 Tuggeranong Kambah

## **MATTERS TO WHICH THIS OPINION APPLIES**

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

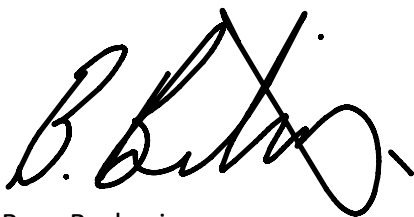
## **OPINION**

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. All works are to be undertaken in accordance with the endorsed Construction Environmental Management Plan (CEMP).
2. The patch of Box- Gum Woodland identified within the project area must be protected by temporary fencing for the duration of construction.
3. No work is permitted on site when a Total Fire Ban is declared.
4. On days of High fire danger rating (FBI 25 or greater) all hot works and works that could emit a spark must cease.
5. 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
6. 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

29 July 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*

*Part 1.2, item 17 – proposal involving -*

- (a) the clearing of more than 0.5ha of native vegetation in a native vegetation area, other than on land in a future urban area; or*
- (b) the clearing of more than 5.0ha of native vegetation in a native vegetation area on land in a future urban area*

The proposal will impact on 2.2ha of native vegetation.

*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 39 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 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 project proposes the duplication of a 2.4km of Athllon Drive between Drakeford Drive and Sulwood Drive and the implementation of improvements to increase safety and amenity for road users. The proposed works will include the establishment of new public transport facilities, multiple intersection upgrades including part-time signals, and new shared user path (SUP) connections, including the construction of the Sulwood Drive pedestrian underpass.

Athllon Drive is an arterial road extending 10.9 km south from the Woden Town Centre, past the Mawson Group Centre, through to the Tuggeranong Town Centre. It is considered an important transport corridor, linking Woden to Tuggeranong, having two rapid bus routes, cycleways and accommodating nearly 2,000 vehicles every hour during peak periods (ACT Government, 2024a).

The Athllon Drive duplication was identified in the Tuggeranong District Strategy as a strategic action to support the growing community and this increased demand. The unduplicated sections of the road are bottlenecks which result in congestion, travel time delays and reduced safety and amenity in the area.

The proposed development activities for the Project will include:

- Duplication of Athllon Drive for a 2.4 km segment from Sulwood Drive to Drakeford Drive.
- Part time signalisation at the existing roundabout intersection of Sulwood Drive and Athllon Drive and full time signalisation at the following three intersections:
  - Athllon Drive, Atkins Street and Langdon Avenue.
  - Vosper Street and Athllon Drive; and
  - Fincham Crescent and Athllon Drive.
- Construction of a new box culvert underpass structure on western leg of Sulwood Drive intersection to provide pedestrian and cyclist connectivity.
- New shared path connection through the new underpass beneath Sulwood Drive.
- New northbound bus stop with path connections to the existing path network.
- Widen the existing northbound bridge and construct a new southbound bridge.
- Relocation of the southbound bus stop facility adjacent to the Wanniassa Park and Ride near Langdon Avenue intersection (due to impacts of the proposed duplication works).
- Delivery of noise mitigation infrastructure to replace existing noise mounds, as required.

#### **Documentation Submitted**

- Landscape Plans combined plans;
- ESO Application Document
- Pre- Application meeting notes;
- Road Design combined plans;
- Letter(s) of Authorisation; and
- Form 1M.

#### **Natural conservation values present**

The project area spans an area of 19.01ha and is predominantly disturbed by its current land use as a major road corridor and parkland within an urbanised area. The vegetation within the project area is limited to the road verge of the present alignment of Athllon Drive and mainly consists of planted native trees with a ground cover dominated by exotic grasses.

The groundcover is mown across the entire area and there are very few shrubs, rocks or fallen limbs making it unsuitable habitat for small mammals, reptiles or amphibians. The area contains a total of 3505 native trees including 24 remnant trees of which 11 contain hollows. Gang Gang Cockatoos and Superb Parrots may use the

project area for foraging and movement across the landscape. Gang Gang Cockatoos may also use the areas tree hollows for nesting.

A small amount of *Environment Protection and Conservation Act 1999* (EPBC Act) and *Nature Conservation Act 2014* (NC Act) listed White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland (box-gum woodland) exists in the northern part of the project area and provides native canopy and habitat connectivity for fauna species. This patch occurs outside of the project footprint and will not be impacted by the works as proposed.

### **Potentially Significant Environmental Impacts**

The project footprint is kept predominantly to the road corridor and its verges with the main impacts being to trees and vegetation. The proponent measured all tree hollows located within the project area to identify those suitable for Gang Gang nesting. Of the 11 trees found to contain suitable nesting hollows only 2 will be removed, both of which were ranked as low priority for retention.

The project will require the removal of 2.2ha of native vegetation of the 19.01ha within the project footprint. As the groundcover is comprised of predominantly mown exotic grasses, the impact of this clearance will mainly affect trees. The small patch of Box Gum Woodland identified within the project area will not be impacted by works and will be marked and fenced for protection during construction.

A total of 308 trees will be removed of the 3505 identified within the project area, including 39 Mature Native Trees as defined in the Action Plan for the Key Threatening Process Loss of Mature Native Trees. The project area contains 560 Mature Native Trees and the alignment has been altered to retain the largest remnant trees which also contain all the hollows in the project area. The realignment enables the retention of 93% of the Mature Native Trees and the proponent has committed to compensatory planting of 617 native trees, 650 medium sized native shrubs and over 20,000 native grasses, low shrubs and forbs.

The project is located within a portion of the Ecological Network that is mapped as providing ecological connectivity for birds, potential remnant habitat for riparian reptiles and mammals, core habitat for amphibians and native bees. The planting of medium sized shrubs and native ground cover will substantially improve the habitat values of the area for small birds, reptiles and amphibians in the medium to long term. The retention of over 3197 native trees will retain the existing movement and habitat values of the site until the plantings establish enough the contribute to habitat values.

Because of the large number of Mature Native Trees retained in the project area, the presence of thousands of advanced immature trees and extensive compensatory planting, the project is not considered to represent a significant contribution to a Key Threatening Process and impacts to connectivity and foraging opportunities for Gang-gang Cockatoos and Superb Parrots will be minimal.

Overall, the land use of the area is not changing, and the core habitat characteristics are not being substantially reduced. Compensatory plantings will enhance connectivity and habitat value over the long term and the proposal will not result in a significant decline of connectivity and habitat values for common species or reduce the area of the Ecological Network. The ESO proposal includes mitigation measures to address the remaining risks of sediment and erosion and the spread of weeds.

Conditions have been included to ensure the protection of the Box of Environment Protection and Conservation Act 1999 (EPBC Act) and Nature Conservation Act 2014 (NC Act) listed White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland (box-gum woodland) identified within the project footprint.

1. All works are to be undertaken in accordance with the endorsed Construction Environmental Management Plan (CEMP).
2. The patch of Box- Gum Woodland identified within the project area must be protected by temporary fencing for the duration of construction.
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6. 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.