
ENVIRONMENTAL SIGNIFICANCE OPINION - Monaro Highway Package 1C Early Works (ESO202400056)

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

APPLICANT

Stantec Australia Pty Ltd, as represented by Mr Joshua Tracey, Senior Environmental Engineer.

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 upgrade works at the intersection of Lanyon Drive and Sheppard Street, adjacent to the Monaro Highway in Hume as described in the submission.

LOCATION

Works are located in the following locations:

- Blocks 10, 16, 19 Section 18 Hume
- Block 39 Section 3 Hume
- Block 25 Section 2 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 application.
2. A restoration subplan for Dog Trap Creek is required as part of a Construction Environmental Management Plan (CEMP) for Conservator endorsement. This should outline restoration efforts along the length of Dog Trap Creek from the upstream extent of works to the confluence with Jerrabomberra Creek, including emphasis of shrubs rather than trees in compensatory plantings given their proximity to the Jerrabomberra Grasslands.
3. 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.

A handwritten signature in black ink, appearing to read 'Rachael De Hosson', with a horizontal line extending to the right.

Rachael De Hosson
A/g Conservator of Flora and Fauna

8 January 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 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 10 mature native trees on the site and will contribute to a cumulative loss of habitat values associated with the wider development as a whole 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 development proposal is for upgrade works at the intersection of Lanyon Drive and Sheppard Street, adjacent to the Monaro Highway in Hume. The ACT Government is delivering the Monaro Highway Upgrade Program to improve safety and travel times by increasing capacity through grade separations, additional lanes and intersection upgrades.

The project is separated into 2 stages, with Package 1 including the upgrades in the vicinity of the Lanyon Drive intersection and David Warren Road, and Package 2 including improvements to efficiency and road safety. The proposed works described in this ESO form part of the Package 1C Early Works, with Package 1C further divided into 3 components: Early Works, Main Works and Upstream Works. The overall project aims to complete all works by late 2027.

Works are located in 3 locations:

- Approximately 400m on both sides of Lanyon Drive, near its western end.
- Approximately 400m adjacent to the Monaro Highway in front of the Emergency Services Agency.
- Approximately 800m along the south bound lane of the Monaro Highway, adjacent to Hume.

Works involve the following main components:

- Create a four-way signalised intersection at the intersection of Sheppard Street, Lanyon Drive and a stub for the future extension of David Warren Road.
- A 3m shared user path from the Sheppard Street / Monaro Highway intersection (near the existing petrol station) to just north of the Sheppard Street / Lanyon Drive intersection.
- Utilities works including relocation of gas mains parallel to Lanyon Drive, relocation of electric sub-station and traffic signal control box, installation of new water main for future extension to the Alexander Maconochie Centre as part of the Main Works package, etc.

The surrounding locality comprises of a mixture of land uses including IZ1: GENERAL INDUSTRY to the south with the Hume industrial precinct, and NUZ1: BROADACRE land to the north. The West Jerrabomberra Nature reserve lies along the west of the Monaro Highway, and the proposed Jerrabomberra East Grasslands Nature Reserve lies to the east of the works area.

Documentation Submitted

- ESO application
- Appendix A – Phase 1 – Site History and Preliminary Site Assessment
- Appendix B – Landscape Management and Protection Plan
- Appendix C – Biodiversity Assessment Report (dated 14 September 2020)
- Appendix D – Second Addendum Biodiversity Impact Assessment Report (dated 16 March 2023)
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The Jerrabomberra Grasslands lie to the east and west of the Monaro Highway. These grassland reserves include some of the ACT's most significant remnant Natural Temperate Grasslands and provide important habitat for many threatened grassland species. Dog Trap Creek runs under the Monaro Highway and connects to Jerrabomberra Creek to the east and ultimately the Jerrabomberra Wetlands.

The proposed works are located within the road reserve within a highly modified segment of the ACT's road network. Most of the project area is already developed and used as a transport corridor. The landscape is highly fragmented, with the ground layer dominated by exotic grasses and the canopy dominated by planted native trees, including 14 mature native trees.

In contrast, the adjacent reserves are known to support at least 9 species listed as threatened under the *Nature Conservation Act 2014*:

- Striped Legless Liard (*Delma impar*)
- Perunga Grasshopper (*Perunga ochracea*)
- Button Wrinklewort (*Rutidosis leptorhynchoides*)
- Hoary Sunray (*Leucochrysum albicans tricolor*)
- Southern Whiteface (*Aphelocephala leucopsis*)
- White-winged Triller (*Lalage tricolor*)
- Brown Treecreeper (*Climacteris picumnus victoriae*)
- Scarlet Robin (*Petroica boodang*)
- Golden Sun Moth (*Synemon plana*)

Potentially Significant Environmental Impacts

The proposal will remove 10 of the 14 mature native trees and the broader project will contribute to an even larger number of mature native trees being removed

across the entire Monaro Highway works area. Over 100 trees will be removed, mostly along Lanyon Drive adjacent to Dog Trap Creek. The proposed works will also remove approximately 0.39ha of planted native vegetation that may provide foraging and connectivity habitat for threatened woodland birds, as well as impacting on a portion of the ecological network that provides connected habitat for amphibians, birds, native bees and riparian values.

The mature native trees on site were planted within the road reserve in the 1970s and 1980s, and are yet to develop into hollow bearing trees. The trees provide limited habitat value, as there are better resources readily available in the surrounding landscape. Because of this, it is unlikely the loss of these mature native trees will have a significant impact on a threatened species or significantly contribute to a key threatening process, however it will contribute to a cumulative loss of habitat values associated with the overall Monaro Highway Development Program.

To address the loss of mature native trees and native vegetation, the applicant has committed to replanting 101 trees and 34 shrubs to achieve approximately 14% canopy cover. The proposed compensatory plantings are not ideal in mitigating the overall vegetation loss impact as there should be larger numbers of shrubs instead of trees. The development site is along Dog Trap Creek on the fringes of the Jerrabomberra Grasslands, and compensatory planting should focus on shrubs rather than trees to restore connectivity to the natural temperate grassland ecosystem.

Conditions have been included to ensure that connectivity is restored, particularly along Dog Trap Creek.

1. Conditions of approval including mitigation measures as stated in the application.
2. A restoration subplan for Dog Trap Creek is required as part of a Construction Environmental Management Plan (CEMP) for Conservator endorsement. This should outline restoration efforts along the length of Dog Trap Creek from the upstream extent of works to the confluence with Jerrabomberra Creek, including emphasis of shrubs rather than trees in compensatory plantings given their proximity to the Jerrabomberra Grasslands.
3. 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.