
ENVIRONMENTAL SIGNIFICANCE OPINION - Demolition/Design and Construction of a Tidbinbilla Animal Food Preparation Building (ESO202400044)

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 Martyn Ellis, Project 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 the demolition of the current animal food preparation building and construction of a new animal food preparation building in Tidbinbilla Nature Reserve as described in the submission.

LOCATION

The works are located in Tidbinbilla Nature Reserve in Block 240 District Paddy's River

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. The proponent must provide a Construction Environmental Management Plan for Conservator endorsement prior to commencement of works.
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 'B. Burkevics', with a large, stylized flourish at the end.

Bren Burkevics
Conservator of Flora and Fauna

2 December 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 18 - proposal for development in a reserve, unless the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014, section 318A;

The proposed works are within Tidbinbilla Nature Reserve.

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

ACT Parks and Conservation (PCS) is the land manager for the Tidbinbilla Nature Reserve (TNR). PCS manage numerous threatened species programs within Tidbinbilla that play a vital role in wildlife management and protection. PCS staff and volunteers prepare significant amounts of food for wildlife and critically endangered animals as part of the threatened species programs and require a new fit-for-purpose food preparation building to replace the current old and dilapidated infrastructure.

PCS also require the provision of a new modular food preparation building that must be installed quickly to prevent delays in food preparation for these animals.

The project will involve replacing the existing modular building with a permanent modular building designed for animal food preparation. The new building will be 9.6m length x 3m width building (max 12m) with landing and stairs. The new building will be located within the works depot area at TNR. A total disturbed area of 40m² is expected. Access to the site will be via existing roads. Drainage lines and water ways will not be impacted by the construction. There will be no vegetation clearing required.

Documentation Submitted

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

Natural conservation values present

TNR is adjacent to the Namadgi National Park and is part of the Australian Alps National Parks system, protecting much of the alpine, subalpine and montane environments of mainland Australia. TNR contains an area of 'national park', as well as an area of 'special purpose reserve' over those areas that have been developed for recreation, education and research (e.g. the Rock Wallaby breeding program and the Corroboree Frog breeding facility).

Vegetation communities in TNR include subalpine snow gum on the exposed ridges to woodlands, grassland and shrublands in the valley, with tall wet forests in the moist sheltered gullies. These vegetation communities provide habitat for a wide range of native species.

Nearly 500 species have been recorded in TNR, with at least 14 species listed as threatened on the *Nature Conservation Act 2014*:

- Southern Brown Bandicoot (*Isodon obesulus obesulus*)
- Southern Greater Glider (*Petauroides volans*)
- Brush-tailed Rock-wallaby (*Petrogale penicillata*)
- Koala (*Phascolarctos cinereus*)
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Hooded Robin (*Melanodryas cucullata cucullata*)
- Key's Matchstick Grasshopper (*Keyacris scurra*)
- Hoary Sunray (*Leucochrysum albicans tricolor*)
- Spotted-tailed Quoll (*Dasyurus maculatus maculatus*)
- Southern Whiteface (*Aphelocephala leucopsis*)
- White-winged Triller (*Lalage tricolor*)
- Scarlet Robin (*Petroica boodang*)
- Pilotbird (*Pycnoptilus floccosus*)
- Austral Toadflax (*Thesium australe*)

The new building will be located within the works depot area at TNR. The site has been subject to extensive disturbance and was completely cleared during the 1960s/70s to make way for large softwood Radiata pine plantations. Intensive bushfires went through the area in 2003, wiping out these plantations. Since that time the area has been left to regenerate naturally; as a result, most trees within the site are less than 15 years old and therefore quite small and sporadically spaced..

Potentially Significant Environmental Impacts

The proposed demolition/construction will take place at the Tidbinbilla Depot which has been heavily modified. The proposed new building will not make major changes to the existing processes or natural systems of the reserve. Access to the site will be via existing roads. Drainage lines and water ways will not be impacted by the construction. Overall, the proposal is not expected to impact vegetation and the wider reserve, and the proposal is unlikely to result in any significant environmental impacts.

The mitigation measures and site controls listed by the proponent are sufficient, including the commitment to undertake works in accordance with an approved CEMP.

Conditions have been included to ensure that appropriate controls are in place during construction to ensure impacts to the wider reserve are minimised.

1. Conditions of approval including mitigation measures as stated in the submission.

2. The proponent must provide a Construction Environmental Management Plan for Conservator endorsement prior to commencement of works.
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.