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**ENVIRONMENTAL SIGNIFICANCE OPINION – 4/24 and 5/24 GARRAN – GARRAN PALLIATIVE ASSOCIATED APZ (ESO 202500050)**

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

**APPLICANT**

Purdon Planning Pty Ltd, as represented by Bradley Yates, 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 removal of vegetation to establish, and perpetual maintenance of, an Inner Asset Protection Zone for the Palliative Care facility located on the adjacent Block 3 Section 24 Garran (approved subject to conditions via DA 202342519) as described in the submission.

**LOCATION**

*Block 5 Section 24 Garran  
Block 4 Section 24 Garran  
Hindmarsh Drive road reserve*

**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:

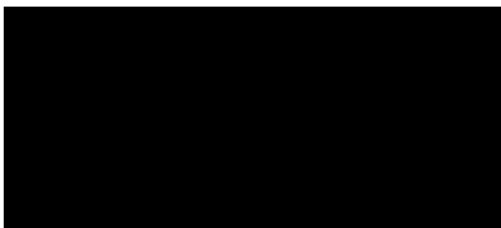
1. Conditions of approval including mitigation measures as stated in the application.

2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Weed management must be undertaken for a period of 24-months to ensure no increase in invasive species within the reserve.
4. Compensatory planting must be funded by the proponent and the following ratios applied to all trees and shrubs being removed for development.


DBH class (cm)	REPLACEMENT RATIOS
<5	1:1
5 - 20	1:3 + relocate as native mulch or at Conservator discretion
21 - 30	1:8 + relocate as coarse woody habitat
31 - 40	1:13 + relocate as coarse woody habitat
41 - 50	1:40 + relocate as coarse woody habitat
50+	1:90 + reinstate as vertical habitat structure or at Conservator discretion
100+	1:180 + reinstate as vertical habitat structure or at Conservator discretion

5. The proponent must fund the installation of boulders to define the edge of the IAPZ within the reserve.
6. PCS must be given the opportunity to use trees removed for development to enhance woody debris in Red Hill Nature Reserve.
7. No part of the access route is to be in Red Hill Nature Reserve.
8. The proponent is to submit a Tree Management Plan and Remediation Plan for endorsement by the Conservator prior to construction, to manage and minimise potential impacts during construction.

Attached is a Statement of Reasons for the decision.



Bren Burkevics  
 Conservator of Flora and Fauna

 December 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 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*

Red Hill Nature Reserve contains habitat for threatened species and ecological communities, including ([Red Hill Regeneration Group](#) n.d.):

- Yellow Box–Blakely's Red Gum Grassy Woodland
- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Button Wrinklewort (*Rutidosis leptorrhynchoides*)
- Pink-tailed Worm-lizard (*Aprasia parapulchella*)
- Diamond Firetail (*Stagonopleura guttata*)
- Glossy Black Cockatoo (*Calyptorhynchus lathami*)
- Little Eagle (*Hieraaetus morphnoides*)
- Scarlet Robin (*Petroica multicolor*)
- Superb Parrot (*Polytelis swainsonii*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- White-Winged Triller (*Lalage sueurii*)
- Flying Fox (*Pteropus poliocephalus*)
- Perunga Grasshopper (*Perunga ochracea*)

The proponent included this item in their application, however, the Conservator believes this item does not apply.

*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 Red Hill Nature Reserve.

*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 66% of the mature native trees (MNTs) on the site and may result in the key threatening process of loss of mature native trees and lack of recruitment. The works will also result in the key threatening process of unnatural fragmentation of habitats.

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 Area has been identified to support an Inner Asset Protection Zone (IAPZ), Defendable Space and provision of access for emergency vehicles pursuant to the *ACT Strategic Bushfire Management Plan 2019-2024* and the *Emergencies Bushfire Management Standards 2025*.

The Project Area constitutes the IAPZ, Defendable Space, and a section of the emergency vehicle access area requiring modification to meet requirements (with these three areas henceforth collectively referred to as the 'IAPZ').

The proposed works relate to the 0.29-hectare Project Area located partly within Block 4 and Block 5 Section 24 Garran (Red Hill Nature Reserve) and the adjacent Hindmarsh Drive road reserve.

Proposed works include:

- Establishment of the IAPZ (IAPZ, Defendable Space, and a section of the emergency vehicle access area requiring modification to meet requirements);
- Selective vegetation removal and pruning (including the removal of 46 trees and pruning of four trees - some of which are Mature Native Trees);
- Installation of boundary protection measures (e.g., logs and boulders) to delineate the reserve edge; and
- Ongoing vegetation management in accordance with bushfire and weed protocols.

### **Documentation Submitted**

- John James Foundation Palliative Care Respite House Biodiversity Assessment Report (13/11/25)
- ESO Letter
- Letters of Authorisation
- Form 1M.

### **Natural conservation values present**

The site is located in Garran, with Red Hill Nature Reserve to the east and Hindmarsh Drive to the south. Red Hill nature Reserve contains large patches of Box Gum Woodland (BGW) and smaller patches of Dry Sclerophyll Forests.

The Project Area supports 0.29ha of BGW, 0.09 ha of which meet the critically endangered box gum woodland ecological community criteria, as defined by the EPBC Act and NC Act.

The Project Area is likely to support key foraging species for Gang-gang Cockatoo and Superb Parrot and potential breeding and foraging Scarlet Robin, Varied Sittella, and White-winged Triller.

There are currently 57 trees within the project site. The project proposes to remove 46 trees and prune four trees. Three mature trees (DBH $\geq$ 50) occur on site; two will be removed and one will be pruned as a result of the project. No hollow bearing trees occur on the site.

### **Potentially Significant Environmental Impacts**

The building was re-sited to reduce the extent of the IAPZ within the Red Hill Nature Reserve.

### **Impacts to rare or threatened species/communities**

The Project Area is comprised of threatened BGW. All (0.09 ha) of the NC Act and EPBC Act listed BGW on the site will be directly impacted by the works. As per the Biodiversity

Assessment Report (BAR), the BGW is consistent with Class C, being an area of lower quality but showing signs of regeneration. Although this patch does not meet criteria for higher category listing, it has important value due to being situated within the reserve network and on the boundary of a large contiguous patch of BGW. It is therefore important that APZ management is consistent with retention of BGW values.

The works will result in a reduction in foraging habitat for both Gang-gangs and Superb Parrots, and Box Gum Woodland but this is unlikely to be significant due to the proximity of the Red Hill Nature Reserve. The proponent will fund compensatory plantings for trees removed for the Asset Protection Zone establishment works. While this measure will not reduce the initial net loss to the ecological values within the Project Area, it will contribute to re-instating habitat and connectivity in the future.

There is also a risk of the works potentially spreading weeds into Red Hill Nature Reserve but the proponent has provided mitigation measures to ensure appropriate weed hygiene during the works.

### **Development within a reserve**

This project establishes an asset protection zone for fire management in a conservation estate rather than being fully within a development site. This is a legacy issue as the project was created prior to the *ACT Bushfire Management Standards (2023)*. The *ACT Bushfire Management Standards* state APZs are to be provided within the development footprint, and as such, future APZs for other projects will need to be established outside reserves.

It is a concern that the IAPZ impacts the conservation estate rather than being within the development site. However, there has been extensive consultation between the proponent, Office of the Conservator of Flora and Fauna, PCS and Office of Nature Conservation, which has informed this application and it has been acknowledged by all parties that the APZ should have been retained within the block boundary, however the complex background and location of this project did not allow this objective to be met. There has been agreement (through site meetings) that the proposal was acceptable, provided appropriate mitigation and compensatory measures were applied. As per the above, these measures must include the primary goal of ensuring the patch of BGW within the reserve is managed consistent with this value.

### **Contribution to a key threatened process**

Both listed Key Threatening Processes (loss of MNTs and unnatural fragmentation of habitats) are relevant to this project. While the proposal will result in the loss of two MNTs, these individuals are both planted non-local *Eucalyptus cinerea*, neither of which support hollows. The loss of two planted non-local MNTs is unlikely to meaningfully contribute to the loss of MNTs key threatening process, given the very large number of retained MNTs within the adjoining Nature Reserve. While the total loss of trees (46) is a relatively large number, the connectivity is retained by the treed corridor along Hindmarsh Drive. Compensatory plantings to replace all removed native trees and shrubs will be placed in appropriate locations, in consultation with PCS.

Conditions have been included to ensure that works, and ongoing management IAPZ, will not introduce weeds into the Red Hill Nature Reserve, nor reduce the amount of habitat available for local species and communities.

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. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Weed management must be undertaken for a period of 24-months to ensure no increase in invasive species within the reserve.
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7. No part of the access route is to be in Red Hill Nature Reserve.
8. The proponent is to submit a Tree Management Plan and Remediation Plan for endorsement by the Conservator prior to construction, to manage and minimise potential impacts during construction.

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.