

# Planning and Development (Conditional Environmental Significance Opinion – William Slim Drive Duplication – McKellar, Belconnen, Lawson, Giralang) Notice 2020

Notifiable instrument NI2020–56

made under the

Planning and Development Act 2007, s 138AD (Requirements in relation to environmental significance opinions)

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## 1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – William Slim Drive Duplication – McKellar, Belconnen, Lawson, Giralang) Notice 2020*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional Environmental Significance Opinion

- (1) On 19 December 2019, the Conservator of Flora and Fauna, pursuant to section 138AB (4)(b) of the *Planning and Development Act 2007* (the **Act**), gave the applicant a conditional environmental significance opinion in relation to the development of William Slim Drive Duplication within multiple blocks in McKellar, Belconnen, Lawson and Giralang.

- (2) In this section:

***Conditional environmental significance opinion*** means the opinion in the schedule.

*Note* Under section 138AD (6) of the Act, the conditional environmental significance opinion and this notice expire 18 months after the day the notice is notified.

Brett Phillips  
Delegate of the planning and land authority  
29 January 2020

## Schedule

See section 3(2)

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### ENVIRONMENTAL SIGNIFICANCE OPINION

In accordance with section 138AB(4) of the *Planning and Development Act 2007* (the Act), I provide the following Environmental Significance Opinion (ESO):

#### APPLICANT

WSP Australia Pty Ltd, as represented by Selga Harrington, ACT Ecology Lead.

#### APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 138AA 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 William Slim Drive as described in the submission.

#### LOCATION

The proposed duplication works are located along the length of the William Slim Drive road corridor. The works are bordered by the Belconnen suburbs of Lawson, McKellar and Giralang and encompass numerous blocks.

#### MATTERS TO WHICH THIS OPINION APPLIES

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

#### OPINION

Provided the works are undertaken in the manner consistent with the following conditions in addition to the mitigation 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 s138AB(4) of the Act:

1. The two patches of Natural Temperate Grassland adjacent to the proposed works corridor must be marked on construction diagrams and landscaping plans and protected during the works.

2. Post work landscaping must utilise a native grass and herb seed mix within at least 20 m of the Natural Temperate Grassland patches, and weeds such as African Lovegrass will be controlled within and in the vicinity of the patches as part of the landscaping works.
3. The CEMP must include a weed management program, including a commitment to control weeds in post works landscaping areas.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

19<sup>th</sup> December 2019

## STATEMENT OF REASONS REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 4 of the *Planning and Development Act 2007* – Development proposal for an activity requiring an EIS Schedule 4, being:

*Part 4.3, item 2(a) the clearing of more than 0.5ha of native vegetation other than on land that is designated as a future urban area*

The proposal will impact on approximately 0.6 ha of native vegetation.

### 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

William Slim Drive provides the most direct link between Gungahlin and Belconnen town centres, and future urban intensification and development is predicted to increase pressure on this network. Duplication of the road will increase capacity, reduce congestion and cater to the future growth of the region.

The proposed works include:

- Duplication of William Slim Drive to dual carriageway
- Duplication of all bridges and structures along the corridor (7 bridges/underpasses)

- Construction of a new bridge to carry the northern carriageway over Ginninderra Creek
- Provision for a median width of 10 m for the length of the duplication works
- Upgrade of all intersections to accommodate the duplicated lanes
- Stormwater infrastructure

#### **Documentation Submitted**

- William Slim Upgrade – Ecology Assessment of Natural Conservation Values and additional supporting documentation for the application for an Environmental Significance Opinion;
- Letters of Authorisation;
- Form 1M.

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

The project area has a history of major disturbance including historic grazing, urban development and associated infrastructure. The habitat consists mainly of exotic grassland and planted woodland, with some areas of native vegetation. A field inspection identified that these areas are dominated by native tree and shrub species such as

- *Casuarina cunninghamiana*
- *Eucalyptus mannifera*
- *Acacia dawsonii*
- *Acacia dealbata*
- *Acacia mearnsii*
- *Acacia melanoxylon*
- *Acacia falciformis*
- *Acacia parramattensis* and
- *Eucalyptus viminalis*.

Patches of Wallaby Grass (*Rytidosperma* spp.) have established within parts of the road corridor but are small (a few metres in area), isolated, and surrounded by exotic species such as African Lovegrass.

There are two patches of Natural Temperate Grassland, just outside the proposed works corridor. Additionally, the project area also includes two areas of riparian vegetation where the road crosses over Ginninderra Creek. Several threatened species have been recorded within the creek and adjacent areas:

- Scarlet Robin (*Petroica boodang*)
- White-winged Triller (*Lalage tricolor*)
- Australiasian Bittern (*Botaurus poiciloptilus*)
- Perunga Grasshopper (*Perunga ochracea*)
- Golden Sun Moth (*Synemon plana*)
- Ginninderra Peppercress (*Lepidium ginninderrense*)

The project area is likely to be utilised mainly by species which tolerate open, disturbed environments (e.g. some birds and bats), in addition to species utilising the creek area such as frogs.

### **Potentially Significant Environmental Impacts**

The project area is highly disturbed as the wider road footprint was created when the initial two-lane road was constructed. The majority of native vegetation to be cleared is comprised of plantings of locally indigenous tree species that are of an age class that lacks hollows. Approximately 301 trees would be removed as a result of the project and the proposal includes plans to replace removed trees with locally indigenous tree species at a minimum ratio of 1:1.

The groundcover is predominantly exotic species across most of the project area, and despite being a known food plant for Golden Sun Moth, the patches of Wallaby Grass are unlikely to be utilised by the species due to their small size and isolation.

The adjacent patches of Natural Temperate Grassland are to be protected during construction, and weeds such as African Lovegrass are to be controlled in their vicinity. Tree planting is not suitable in these areas.

Reseeding with a native grass and herb seed mix is to occur and combined with the commitments of weed and sediment controls, the works should avoid a significant environmental impact.

Conditions have been included to ensure that works will not impact adjacent Natural Temperate Grassland or increase the spread or introduction of weeds:

1. The two patches of Natural Temperate Grassland adjacent to the proposed works corridor must be marked on construction diagrams and landscaping plans and protected during the works.
2. Post work landscaping must utilise a native grass and herb seed mix within at least 20 m of the Natural Temperate Grassland patches, and weeds such as African Lovegrass will be controlled within and in the vicinity of the patches as part of the landscaping works.
3. The CEMP must include a weed management program, including a commitment to control weeds in post works landscaping areas.

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.