

# Planning and Development (Environmental Significance Opinion – Block 1602 and Block 1634, Belconnen – Rural Subdivision) Notice 2022

Notifiable instrument NI2022– 580

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 (Environmental Significance Opinion – Block 1602 and Block 1634, Belconnen – Rural Subdivision) Notice 2022*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 10 October 2022, the Conservator of Flora and Fauna, pursuant to section 138AB (4) of the *Planning and Development Act 2007* (the *Act*), gave the applicant an environmental significance opinion in relation to development, on block 1602 and block 1634, Belconnen, for the subdivision of two blocks into four blocks and installation of a sign as described in the submission.

- (2) In this section:

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

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

Craig Weller  
Delegate of the planning and land authority  
8 November 2022

## **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:

#### **APPLICANT**

Canberra Town Planning, as represented by Ms Ingrid Shelton, Senior Town Planner.

#### **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 subdivision of Blocks 1602 and 1634 District of Belconnen into four blocks and for installation of a sign as described in the submission.

#### **LOCATION**

Rural Blocks 1602 and 1634 District of Belconnen.

#### **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 mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'B. Burkevics', with a stylized flourish at the end.

Bren Burkevics  
Conservator of Flora and Fauna

10 October 2022

## **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 3 proposal for development in a reserve;*

There is a Pc: Nature Reserve overlay (Molonglo River Corridor) over a small portion of both blocks.

The proponent wants the application for the development approval assessed in the merit track 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 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 proposal is for the subdivision of Blocks 1602 and 1634 Belconnen into four blocks and for installation of an information sign at the gate of the entrance to the site.

The subdivision will result in four blocks approximately sized as follows:

- Block 1 – 29 ha
- Block 2 – 88 ha
- Block 3 – 93 ha
- Block 4 – 105ha

#### **Documentation Submitted**

- Block 1602 and 1634 Belconnen – Application for Environmental Significance Opinion (August 2022)
- Statement Against Criteria & Lease Variation Report (July 2022);
- Belconnen subdivision plans;
- Additional supporting information;
- Letter of Authorisation;
- Form 1M.

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

Much of the two blocks is mapped as potential Box Gum Woodland, with some areas of Pink-tailed Worm-lizard habitat and Native Grassland.

#### **Impact on the Reserve and Potentially Significant Environmental Impacts**

No impacts are anticipated to the small portion of reserve within the two blocks as no development is proposed.

The purpose clause for Blocks 1 and 2 does not include ancillary uses of horses and dwellings. The existing dwelling on Block 1634 is now within Block 3, and the current permitted eight horses is to be split between Blocks 3 and 4.

No additional development is therefore anticipated as a result of the subdivision and no impact to ecological values should occur. Additionally, the resulting blocks are of a sufficient size that agriculture will remain a viable use without adverse impacts to existing values.

The sign is to be installed to an existing fence and be lit by solar lights. No impact from the sign is anticipated.

It has been determined that if the works are undertaken in a manner consistent with the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.