

Planning and Development (Conditional Environmental Significance Opinion – Block 25, Rendezvous Creek – Orroral Valley Campground Toilet Facilities) Notice 2020

Notifiable instrument NI2020–276

made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Block 25, Rendezvous Creek - Orroral Valley Campground Toilet Facilities) Notice 2020*.

2 Commencement

This instrument commences on the day after its notification day.

3 Conditional environmental significance opinion

- (1) On 23 April 2020, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the *Act*), gave the applicant a conditional environmental significance opinion in relation to the installation of a new toilet block and decommissioning of the old toilet block at the Orroral Valley Campground, Block 25, District of Rendezvous Creek.

- (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
13 May 2020

Schedule

See section 2(2)

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

ACT Parks and Conservation Service, Environment, Planning and Sustainable Development Directorate, as represented by Sophie Clement, Director PCS Projects.

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 upgrade of Orroral Valley Campground toilet facilities as described in the submission.

LOCATION

The proposed works are located at the Orroral Valley Campground at Block 25, District of Rendezvous Creek.

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 s138AB(4) of the Act:

- Prior to entering the reserve vehicles and machinery must be cleaned and free of any plant material or soil.
- The area of proposed ground disturbance must be checked for the presence of Swamp Violet. If the plant is present it should be avoided. If this is not possible then the matter should be discussed with the Conservator Liaison.

Attached is a Statement of Reasons for the decision.

A handwritten signature in black ink, appearing to read 'Ian Walker', with a long horizontal flourish extending to the right.

Ian Walker
Conservator of Flora and Fauna

23 April 2020

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 on land reserved under s 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve.

The location of the proposed works has a Pb - National Park overlay.

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 Orroral Valley Campground contains one septic system toilet block with flushing toilets. During winter the flushing function regularly freezes, rendering them

unusable by the public and causing significant WHS and maintenance issues. The proposed works are for the decommissioning of the toilet block and conversion to a picnic area, and construction of a new toilet facility on a different part of the campground.

The toilet upgrade works include:

- Excavation of a small portion of land for the insertion of pump out sewage tanks
- Laying of footings
- Erection of prefabricated toilet block
- Decommissioning of existing toilet block and removal of material
- Minor landscaping works

Documentation Submitted

- Documentation to support an application for an Environmental Significance Opinion – Orroral Valley Campground Toilet Upgrade – Namadgi National Park;
- Example Toilet Block Drawings;
- Example Toilet Fabrication Drawings;
- Orroral Valley Campground Toilet Upgrade Functional Brief
- Form 1M.

Natural conservation values present

The toilet block is located within a highly disturbed campground that is outside areas of high natural value. It is primarily classified as Snow Gum – Candlebark tall grassy woodland (u27) and mapped as potential Rosenberg’s Monitor (*Varanus rosenbergi*) habitat.

In the surrounding landscape there are various Heritage artefacts, ecological values within the riparian zone of Rendezvous Creek and considerably high value Box Gum Woodland. Namadgi National Park serves as habitat to many species of native wildlife and flora, conserves a wide variety of ecosystems and contributes to regional ecological connectivity through its links to reserves within NSW.

Impact on the Reserve

The new toilet block has been well sited to avoid impacts to surrounding vegetation and will not require the removal of any trees. The proposed works will result in approximately 63 m² of permanently disturbed area, however it is located within an already highly disturbed environment. Temporarily disturbed areas will be remediated by PCS staff using a combination of native seed mix and tube stock.

The installation of a new toilet block will have a positive outcome for both visitors and staff.

Potentially Significant Environmental Impacts

The total disturbance footprint is low and confined to previously disturbed areas. Significant impacts to local flora and fauna are unlikely. No threatened species have been recorded within the campground, however a rare herb, Swamp Violet (*Viola caleyana*) has previously been recorded within the campground.

Conditions have been included to ensure that works will not increase the spread of new weed species or impact rare plants:

- Prior to entering the reserve vehicles and machinery must be cleaned and free of any plant material or soil.
- The area of proposed ground disturbance must be checked for the presence of Swamp Violet. If the plant is present it should be avoided. If this is not possible then the matter should be discussed with the Conservator Liaison.

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.