

# Planning and Development (Conditional Environmental Significance Opinion – Blocks 217 & 218, Paddys River – Corin Forest Cabins) Notice 2021 (No 2)

Notifiable instrument NI2021–788

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 – Blocks 217 & 218, Paddys River – Corin Forest Cabins) Notice 2021 (No 2)*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 8 November 2021, 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 construction, on Block 217 & 218, of Paddy's River, of two 'glamping' style dome tents within the Corin Forest Mountain Resort.

- (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.

Craig Weller  
Delegate of the planning and land authority  
21 December 2021

## 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

Purdon Planning Pty Ltd, as represented by Office Manager Miss Jenny Jones.

#### 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 construction of two 'glamping' style tents within the Corin Forest Mountain Resort as described in the submission.

#### LOCATION

The site is identified as Blocks 217 & 218 Paddys River, located on Corin Dam Road.

#### 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:

- No vegetation is to be cleared around the tent sites for bushfire fuel reduction purposes.

- Waterway crossings will not involve any instream earthworks.

Attached is a Statement of Reasons for the decision.

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

Ian Walker  
Conservator of Flora and Fauna

8<sup>th</sup> November 2021

## 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:

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

Corin Forest Mountain Reserve is located on Corin Dam Road within the Paddy's River District and is surrounded by the Namadgi National Park and Tidbinbilla Nature Reserve. The proposed project is to construct two 'glamping' style dome tents within the existing resort. The initial proposal was looking at six potential sites for the placement of these tents however, results of field surveys and other research revealed some sites may have higher levels of impact. Therefore, this ESO application has been limited to a proposal for two dome tents only, on sites 4 and 5 as shown in the application.

The subject site is currently zoned NU25 Mountains and Bushland. The Territory Plan Development Table for the Mountains and Bushland Zone lists “tourist facility” as a permissible ‘merit track’ development. Corin Forest Mountain Reserve is currently operating as a tourist facility and so this proposal is an extension of an existing use of land.

#### **Documentation Submitted**

- ESO application
- ESO report by Purdon Planning Pty Ltd
- Letter of Authorisation – Block 217
- Letter of Authorisation – Block 218

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

Site 4 is at the edge of an area of exotic forest adjacent to derived native grassland.

Site 5 is at the edge of vegetation community ‘U28’ being: Snow gum – Mountain gum – *Daviesia mimosoides* tall dry grass-shrub subalpine open forest. Immediately to the south of Site 5 is vegetation community ‘U118’ being: Black Sallee grass-herb woodland in drainage depression and moist valley flats.

Two protected species (*Pilularia novae-hollandiae*, *Prasophyllum canaliculatum*) have been recorded near the proposed location for site 5, and this is addressed below, within the section ‘Potentially Significant Environmental Impacts’.

#### **Impact on conservation values**

The Namadgi National Park is located to the south and west of the subject site and the Tidbinbilla Nature Reserve to the north and east. The dome tents will be located near the boundary of the National Park but of sufficient distance away to ensure there is no impact on the National Park.

The site selection process for the glamping tents has ensured that the siting of the proposed two tents is in an area of exotic vegetation and /or a previously disturbed area. While Sub-alpine bogs are known to exist in the general area, recent inspection by an ACT Government ecologist did not identify the presence of sub-alpine bogs in the specific area where the tents are to be sited.

The retention of vegetation during and after construction of the tents ensures there will be no impact to the natural systems within the broader Corin Forest Mountain Resort site nor the Namadgi National Park.

The proposed tents are marketed as 'Dome Glamping' tents and have a base floor area of between 20m<sup>2</sup> and 71m<sup>2</sup> with a height between 3.0m – 4.75m depending on the specific model of the tent installed.

Construction impacts would consist of a light vehicle (4WD) with materials on-board, with both locations in proximity to existing forestry and fire access trails. The implementation of access controls, together with fencing of the construction site, will ensure disturbance is limited solely to the area for the tents. All proposed works will remain wholly within the subject site and will not encroach into the reserve.

The domes will be placed on raised wooden decks which will be placed on the ground surface with metal anchors at corners therefore creating negligible surface impacts.

Access by visitors to the dome tents will be on foot, from the main carpark at Corin Forest Mountain Resort.

### **Potentially Significant Environmental Impacts**

Site 4 is at the edge of an area of exotic forest. Site 5 is at the edge of vegetation community 'U28' being: Snow gum – Mountain gum – *Daviesia mimosoides* tall dry grass-shrub subalpine open forest.

EPSDD's Conservation Research team advise that "*two protected species (Pilularia novae-hollandiae, Prasophyllum canaliculatum) have been located on or near Site 5. Prasophyllum canaliculatum has only been recorded 5 times in the ACT since the 2003 wildfires and all populations are considered significant. This species is listed as Critically Endangered in the NSW Biodiversity Conservation Act. Any disturbance of a population of this species is considered a significant adverse impact*".

The sites for the two tents have been inspected by Mr Greg Baines, Senior Conservation Officer, EPSDD to determine if either of the proposed tent locations or associated access roads support habitat for *Prasophyllum canaliculatum* and *Pilularia novae-hollandiae*. The inspection by Mr Baines confirmed that no such habitat exists on the areas in question. All of the sites have been heavily altered by previous roadworks, construction of entertainment facilities and forestry activities. However, the location of the proposed northern tent site (site 5) probably once contained suitable habitat and there are known populations of both species adjacent to the lease.

To ensure there is no impact on areas adjacent to the tents, the mitigation strategies listed above will be enforced, with installation occurring using light vehicles only utilising the existing tracks.

No earthworks within the nearby watercourse will be carried out and no instream structures will be used to install the tents.

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.