

Planning and Development (Conditional Environmental Significance Opinion – Block 91, Tennent – Granite Tors Walking Track Maintenance and Minor Upgrades) Notice 2024

Notifiable instrument NI2024–50

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 91, Tennent – Granite Tors Walking Track Maintenance and Minor Upgrades) Notice 2024*.

2 Commencement

This instrument commences on the day after its notification day.

3 Conditional environmental significance opinion

- (1) On 13 December 2023, the Conservator of Flora and Fauna, pursuant to section 138AB (4) (b) of the *Planning and Development Act 2007* (repealed), gave the applicant a conditional environmental significance opinion in relation to maintenance and minor upgrades to the Granite Tors Walking Track, on Block 91 Tennent in Namadgi National Park, to address drainage issues that are leading to erosion, and the steepness of certain sections. The proposed works include the installation of steps to improve both drainage and erosion issues and ultimately visitor experiences.

- (2) In this section:

conditional environmental significance opinion means the opinion in the schedule.

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

Craig Weller
Delegate of the territory planning authority
30 January 2024

Schedule

See section 3(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, as represented by Mr Peter Cotsell, Director National Parks and Catchments.

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 proposed maintenance and minor upgrades to the Granite Tors Walking Track in Namadgi National Park, as described in the submission.

LOCATION

Block 91 Tennent within Namadgi National Park.

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 large, sweeping flourish extending upwards and to the right.

Bren Burkevics
Conservator of Flora and Fauna

13 December 2023

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;

The proposed works are within Namadgi National Park.

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 supporting application for an ESO.

Project description

The Orroral Valley Fire of January/February 2020 burnt most of Namadgi National Park, including the Granite Tors Walking Track and adjacent Orroral Valley. Most of the walking track was affected by the fire. Rainfall events following the fire also led to notable erosion of steeper areas of the track.

The proposal involves the installation of culverts and/or rock lining at swale bases, and the use of small earth moving machinery for excavation. The proposed works are designed to address drainage issues that are leading to erosion, and the steepness of certain sections requiring the installation of steps to improve both drainage and erosion issues and ultimately visitor experiences.

The section of the Granite Tors Walking Track that is the subject of this ESO lies wholly within the footprint of the access road that serviced the Orroral Geodetic Observatory from 1974 to 1998. The access road has a footprint approximately 2 kilometres long and up to 6 metres wide, as well as mitre drains. The walking track within this footprint ranges from about 600mm to 1.5m wide, depending on encroaching woody vegetation. Once completed, the track will be closed to vehicles and natural vegetation will encroach to the walking track verge, leaving a walking track width of 600mm to 1.2m wide

The proposed works includes:

- Installation of up to 500 rock steps
- Installation of up to 25 concrete culverts
- Maintenance of existing earth drainage features
- Construction of new features such as swales and table drains.

Documentation Submitted

- ESO supporting statement – Granite Tors Walking Track
- Letter of Authorisation
- Form 1M.

Natural conservation values present

Namadgi National Park conserves a wide variety of ecosystems and contributes to regional ecological connectivity through its links to reserves within NSW.

The section of Granite Tors Walking Track subject to this ESO through a tall dry sclerophyll open forest vegetation community. This community has been heavily impacted by the 2020 Orroral Valley fire and is in varying stages of regeneration. The community is dominated by broad-leaved peppermint (*Eucalyptus dives*) and candlebark (*E.rubida*), with a shrub layer of silver wattle (*Acacia dealbata*) and dogwood (*Cassinia longifolia*).

The ground layer features snowgrass (*Poa siberiana*) and *Lomandra* species. The geology is granitic with boulders and tors lining the track. The granite derived soils are well drained and erodible.

A small population of the rosy hyacinth orchid (*Diodium roseum*) was recorded in 2018 near the track but is outside the works footprint. The threatened Scarlet Robin (*Petroica boodang*) has also been observed in the general area.

Potentially Significant Environmental Impacts

The proposed track works are confined to the existing track footprint, which itself is confined to the old access road to the Geodetic Observatory. No threatened species or communities will be impacted by the works and any ecological impacts are expected to be minimal and temporary.

The proposed works incorporates a range of important mitigation measures that will reduce the possibility of any impacts to the environment:

- All works are to be confined to the existing track footprint and old access road corridor.
- No vegetation larger than 200mm DBH is to be removed.
- Rocks are to be sourced from only within the current track footprint, or imported from quarries to ensure they are clean of potential pathogens and weed propagules.
- Appropriate weed management and bushfire mitigation protocols are in place.

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