ENVIRONMENTAL SIGNIFICANCE OPINION - Realignment of Urambi Walking Track (ESO 202400022)

In accordance with section 140 (4) of the *Planning Act 2023* (the Act), I provide the following environmental significance opinion:

APPLICANT

ACT Parks and Conservation Service, as represented by Thomas Mungoven, Project Officer.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 140 (4) 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 realignment of Urambi Walking Track as described in the submission.

LOCATION

Within the Urambi Hills Nature Reserve, Block 1595, district of Tuggeranong.

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 s140 (4)(b) of the Act:

1. Work to be undertaken in accordance with avoidance and mitigation measures as stated in the Application for ESO-202400022.
2. Disturbance footprint must not exceed a maximum trail width of 1.5m.

3. Any trees or shrubs removed must relocated as course woody debris and replaced as per following replacement ratio:
    - <5cm DBH: 1:1
    - 5-20cm DBH: 1:3
    - 21-30cm DBH: 1:8
    - 31-40cm DBH: 1:13
    - 41-50cm DBH: 1:40
    - 50+cm DBH: at Conservator's discretion
4. Work within Urambi Hills Nature Reserve must comply with any direction from the Parks and Conservation Service (PCS).
5. The proposed works may be subject to random compliance inspection by Conservation Officials as requested by the Conservator of Flora and Fauna.

Attached is a Statement of Reasons for the decision.

Bren Burkevics
Conservator of Flora and Fauna

20 May 2024

STATEMENT OF REASONS
REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – requiring environmental impact statement, being:

Part 1.2, item 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

- *(a) a critically endangered species;*
- *(b) an endangered species;*
- *(c) a vulnerable species;*
- *(d) a conservation dependent species;*
- *(e) a regionally threatened species;*
- *(f) a regionally conservation dependent species;*
- *(g) a provisionally listed threatened species;*
- *(h) a listed migratory species;*
- *(i) a threatened ecological community;*
- *(j) a protected native species;*
- *(k) a Ramsar wetland;*
- *(l) any other protected matter*

The proposal site contains Yellow Box / Blakely's Red Gum Grassy Woodland, an endangered ecological community listed under the national *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *ACT Nature Conservation Act 2014* (NC Act).

The site also contains Pink Tailed Worm Lizard (*Aprasia parapulchella*) (PTWL), which is listed as Vulnerable under the EPBC Act and NC Act.

Part 1.2, item 18 - proposal for development in a reserve, unless the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014, section 318A:

The proposed works are within the Urambi Hills Nature Reserve.

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 existing Urambi Walking Track follows a historic desire line created by members of the public walking up the same section of hill. This has led to soil compaction, increased water runoff and erosion, degrading the landscape and resulting in the trail becoming hazardous. Avoidance of these hazards by the public has widened the trail corridor and created a series of braided trails and degradation of surrounding areas.

Realignment of the trail has been deemed to be the best way to improve the quality, sustainability, and disaster resilience of the trail and meet the recreation needs of the public. The purpose of realigning this section of trail is to provide a new route to:

- Remove the safety risk of people walking a trail that has been severely eroded and degraded.
- Increase the disaster resilience of the trail to withstand storm events.
- Require less maintenance than the existing trail.
- Allow for the rehabilitation of existing trail and 'braiding'.
- Keep people on the formed trail preventing impact to surrounding areas.
- Increase the enjoyment of users.
- Improve access for land managers to undertake weed control activities.

The new trail disturbance footprint will be 850m^2 during construction, with a permanent footprint of 510m^2. The proposed trail will be approximately 567m in

length and 0.9m wide. During construction activities the width of disturbance will be up to 1.5m.

Construction will consist of:

- Stripping of grass cover. No trees required to be removed and native shrubs avoided where possible.
- Establishment of new trail surface using a small excavator. Subsoil excavated will be reused to create even trail surface and trail drainage rollovers.
- Construction of steps using imported rocks. Helicopter will be used to move rocks into location.
- Closure and rehabilitation of existing degraded trail. Gaps in fence where old trail connected to link trails will be closed and step throughs moved to new location.

Documentation Submitted

- Application for ESO-202400022
- Attachment 1 – Mapping and monitoring criteria (a46285205)
- Attachment 2 – PTWL mapping 2022 (a46285207)
- ESO - Supporting statement Urambi Hills (a46359106)

Natural conservation values present

The Urambi Hills Nature Reserve is bordered by the Murrumbidgee River Corridor to the south and west, and Kambah residential areas to the north and east. The reserve provides connectivity value and linkages for areas of core habitat, primarily through treed areas to the south of the reserve. PTWL is known to occur throughout the reserve, with habitat ranging from low to high quality. The reserve contains mostly intact native vegetation, comprised of the following ecological communities:

- Yellow Box / Blakely's Red Gum Grassy Woodland (Box Gum Woodland) threatened ecological community;
- Tableland Dry Shrubby Woodland; and
- Eucalyptus macrorhyncha Tableland Grass / Shrub Forest.

The proposed trail realignment footprint has been designed to largely avoid areas of higher ecological value, but will require some vegetation clearance and earthworks within areas of high-quality Box Gum Woodland and moderate quality PTWL habitat.

Potentially Significant Environmental Impacts

The proposed development will result in the below minor environmental impact:

- Temporary disturbance of approximately 65m^2 and permanent loss of approximately 39m^2 of Box Gum Woodland (estimated 0.12% of Box Gum Woodland within reserve);

- Temporary disturbance of approximately 354m^2 and permanent loss of approximately 212m^2 of PTWL habitat (estimated 0.31% of available PTWL habitat within reserve); and

- Temporary disturbance of approximately 850.5m^2 and permanent loss of approximately 510.3m^2 of a native vegetation area under the *Nature Conservation Act 2014* (estimated 0.4% of native vegetation within reserve).

Avoidance buffers will be established around higher quality patches of Box Gum Woodland during construction, including excluding excavation within driplines (+2 meters where possible) of mature native trees. Risk of introduction of weeds and pathogens will be reduced by ensuring all imported materials are free of foreign weed seed, dirt, and vegetation.

The proposed route has been designed to avoid areas of high quality PTWL habitat (5m buffer applied). Areas of high-quality PTWL habitat will also be flagged during construction to ensure they are clearly identified and avoided. Where trail alignments pass through core PTWL habitat and buffers are unavoidable, a narrower trail surface of approximately 0.5m will be constructed and strict protocols and mark off areas will be implemented to minimise the movement of personnel and machinery adjacent to final trail surface width.

During construction if rocks are moved and PTWL are found, construction will stop immediately. The PCS project manager will be notified, and the lizard will be relocated to a nearby suitable habitat rock.

Any rock removed during trail construction will be:

- Repositioned on adjacent surface or moved to nearby areas of high quality native grass cover to increase potential habitat or used to rehabilitate the existing trail.

- Placed between existing fragmented areas of habitat to improve connectivity.

- Rock for constructing steps will be lifted in via helicopter to mitigate the impact to surrounding habitat.

- Suitable areas for landing the rock will be located where exotic ground cover dominates and loose surface rock is not present.

Trail construction has potential to fragment habitat by creating areas devoid of suitable vegetation, which create a barrier to dispersal. The Biodiversity Sensitive Urban Design Guide specifies that areas of bare ground, short grass (<5cm), or paved

surfaces exceeding 4m wide will cause fragmentation in grassy ecosystems. The proposed maximum trail width during construction is 1.5m with a maximum final trail width of 0.9m, within core PTWL habitat the final trail width will be limited to 0.5m. These proposed trail widths are therefore unlikely to result in significant habitat fragmentation.

The existing trail will be rehabilitated by implementing erosion sediment controls, decompaction of surface to allow regeneration, seeding with native grass/forb seed mix and placing rock removed during trail construction on the ground surface to promote potential PTWL habitat. Species proposed for seeding are consistent with the Construction Environmental Management Plan Conservator Guidelines for planting in Box Gum Woodlands and are indicative of suitable habitat species for PTWL.

Conditions have been included to ensure that works will not result in reduced availability or quality of Box Gum Woodland or PTWL habitat.

1. Work to be undertaken in accordance with avoidance and mitigation measures as stated in the Application for ESO-202400022.
2. Disturbance footprint must not exceed a maximum trail width of 1.5m.
3. Any trees or shrubs removed must relocated as course woody debris and replaced as per following replacement ratio:
    - <5cm DBH: 1:1
    - 5-20cm DBH: 1:3
    - 21-30cm DBH: 1:8
    - 31-40cm DBH: 1:13
    - 41-50cm DBH: 1:40
    - 50+cm DBH: at Conservator's discretion
4. Work within Urambi Hills Nature Reserve must comply with any direction from the Parks and Conservation Service (PCS).
5. The proposed works may be subject to random compliance inspection by Conservation Officials as requested by the Conservator of Flora and Fauna.

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.