
**ENVIRONMENTAL SIGNIFICANCE OPINION - Stockyard Spur Walking Track
Resilience Improvement (ESO202400043)**

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 Tim Wells, Project Manager.

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 maintenance and upgrade of a section of the Stockyard Spur Walking Track in Namadgi National Park. This project forms one of the deliverables under the Commonwealth funded Black Summer Bushfire Recovery Grants Program as described in the submission.

LOCATION

Works are located in Namadgi National Park, Block 21 Cotter River district

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. Conditions of approval including mitigation measures as stated in the submission.
2. All efforts should be made to avoid earthworks in areas with mapped orchid records. Where earthworks are required within these areas, surveys should be undertaken at appropriate times to ensure plants can be detected.
3. PCS staff are to undertake a local survey of the proposed realignments, and if it is identified that orchids or other NatureMapr recorded rare plants are present, the track needs to be adjusted to avoid them.
4. The proposed works may be subject to random compliance inspection by Conservation Officers as requested by the Conservator of Flora and Fauna.

Attached is a Statement of Reasons for the decision.

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

Bren Burkevics
Conservator of Flora and Fauna

18 November 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*

Namadgi National Park contains:

Two communities listed as endangered:

- Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT;
- Montane and Subalpine Bog (forming a significant component of the Commonwealth listed Alpine Sphagnum Bogs and Associated Fens).

At least 30 species listed as threatened have been recorded in Namadgi:

- Northern Corroboree Frog (*Pseudophryne pengilleyi*)
- Brown Treecreeper (*Climacteris picumnus*)
- Diamond Firetail (*Stagonopleura guttata*)
- Hooded Robin (*Melanodryas cucullata*)
- Little Eagle (*Hieraaetus morphnoides*)
- Painted Honeyeater (*Grantiella picta*)
- Pilotbird (*Pycnoptilus floccosus*)
- Scarlet Robin (*Petroica boodang*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- White-throated Needletail (*Hirundapus caudacutus*)
- White-winged Triller (*Lalage tricolor*)
- Macquarie Perch (*Macquaria australasica*)
- Trout Cod (*Maccullochella macquariensis*)

- Two-Spined Blackfish (*Gadopsis bispinosus*)
- Key's Matchstick Grasshopper (*Keyacris scurra*)
- Murray River Crayfish (*Euastacus armatus*)
- Broad-toothed Rat (*Mastacomys fuscus*)
- Brush-tailed Rock-wallaby (*Petrogale penicillata*)
- Greater Glider (*Petauroides volans*)
- Koala (*Phascolarctos cinereus*)
- Smoky Mouse (*Pseudomys fumeus*)
- Spotted-tailed Quoll (*Dasyurus maculatus*)
- Austral Toadflax (*Thesium austral*)
- Brindabella Midge Orchid (*Corunastylis ectopa*)
- Dwarf Violet (*Vioa improcera*)
- Hoary Sunray (*Leucochrysum albicans* var. *tricolor*)
- Kiandra Greenhood (*Pterostylis oreophila*)
- Pale Pomaderris (*Pomaderris pallida*)
- Mountain Skink (*Liopholis montana*)

Protected plants include Mountain Needlewood (*Hakea lissosperma*) and several species of orchids occur within proximity of the track and proposed realigned sections.

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 Namadgi National Park.

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement 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 for an opinion 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 development proposal is for the maintenance and upgrade of a section of the Stockyard Spur Walking Track (Track) in Namadgi National Park. This project forms one of the deliverables under the Commonwealth funded Black Summer Bushfire Recovery Grants Program to support recovery efforts from the Orroral Valley Fire of January/February 2020.

The 2.35km long Track begins at Corin Dam Carpark and connects to the eastern end of Stockyard Spur Fire Trail. It lies within a Strategic Fire Advantage Zone (SFAZ) - a 15m corridor in which vegetation is managed annually in accordance with the ACT Strategic Bushfire Management Plan. The Track was constructed in 2010 to provide a strategic fire containment line. It is also an advertised Grade 4 walking track, allowing walkers access up the spur from Corin Dam.

Works involve minor realignments of the Track within the SFAZ, the addition of some timber and rock steps, and the installation of track drainage grades and cross drainage features. The following construction features are included in the design:

- Minor track realignment - sections that run straight up and down the slope are both less enjoyable to walk on and are at risk of erosion. Small meanders will be added where appropriate. No more than 200m of re-alignment will occur across the 2.3km of track.
- Track reshaping and drainage improvement - sections of the track will be reshaped to improve drainage, chiefly by installing appropriate crossing fall grades and small cross banks.

- Step construction - additional wooden steps will be added beneath existing steps which have eroded to ensure walkers do not continue to go off-track and around the steps.
- Replacement of wooden logs - logs were used as retaining elements or as part of retaining walls in the original construction. Some retaining elements are now degrading and will be replaced with stone walls as needed.

Proposed works are to be implemented by a specialist walking track contractor, using hand tools and small machinery, including a mini-excavator (1 tonne) and motorised wheelbarrow.

A helicopter may be required to drop materials at higher locations along the track where vehicle/plant access is not possible.

Documentation Submitted

- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Letter(s) 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 ecosystems include:

- low open woodland covering much of the park with Snow Gum woodland in the high mountain areas;
- open grasslands and frost hollows on the eastern side of the park in the Orroral and Boboyan valleys;
- tall wet forests with Alpine Ash and fern gullies in sheltered locations, especially on the western side of the park;
- wetlands including sedge fens in the valleys and sphagnum moss bogs on the peaks that are important for water catchment and as habitat for the endangered Northern Corroboree Frog (*Pseudophryne pengilleyi*), and
- sub-alpine peaks and alpine communities above 1600m.

Nearly 600 species have been recorded in Namadgi, with at least 30 species listed as threatened.

Three vegetation communities in Namadgi have been identified as requiring special protection and management. These are:

- Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT
- Montane and Subalpine Bog (forming a significant component of the Commonwealth listed *Alpine Sphagnum Bogs and Associated Fens*)
- Black Cypress Pine Tableland Open Forest.

Stockyard Spur Walking Track passes through *Ribbon Gum-Robertson's Peppermint very tall well open sclerophyll forest* on the lower slopes, and both *Snow gum-Mountain gum – Daviesia mimosoides tall dry grass-shrub subalpine open forest* and *Alpine ash – Mountain Gum-Snow Gum wet sclerophyll open forest* on the upper slopes.

Protected plants include Mountain Needlewood (*Hakea lissosperma*) and several species of orchids occur within proximity of the track and proposed realigned sections.

Potentially Significant Environmental Impacts

The proposed development is nearly completed confined to the existing track footprint and not at a scale to negatively impact on the surrounding environment. Proposed works are intended to improve the Track's resilience against disturbance.

The applicant has also identified a comprehensive list of mitigation measures to minimise impacts on conservation values, including the following:

- PCS staff will do a local survey of the proposed realignments, and if it is identified that orchids are present, the track will be adjusted to avoid them, or the realignment will not be approved.
- External rock for steps or retaining elements to be virgin excavated from quarries to ensure they are clean of potential pathogens and weed propagules. Post work monitoring for invasive weed species is part of routine operational requirements.

Conditions have been included to ensure that impact of works are minimised and will not affect rare flora within proximity.

1. Conditions of approval including mitigation measures as stated in the submission.
2. All efforts should be made to avoid earthworks in areas with mapped orchid records. Where earthworks are required within these areas,

surveys should be undertaken at appropriate times to ensure plants can be detected.

3. PCS staff will do a local survey of the proposed realignments, and if it is identified that orchids or other NatureMapr recorded rare plants are present, the track will be adjusted to avoid them, or the realignment will not be approved.
4. The proposed works may be subject to random compliance inspection by Conservation Officers 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.