
**ENVIRONMENTAL SIGNIFICANCE OPINION - BLOCK 12 RENDEZVOUS CREEK -
YANKEE HAT WALKING TRACK – BOGONG CREEK FOOTBRIDGE ESO 202300051**

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 Peter Cotsell - Director, National Parks and Catchments.

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 installation of a footbridge and elevated boardwalk as described in the submission.

LOCATION

Block 12, Rendezvous Creek 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 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. The rare and uncommon *Eleocharis sphacelata* occurs directly below the proposed bridge deck. No instream disturbance is to occur. A works plan

should include briefing of all contractors on the importance of avoiding any disturbance to the instream habitat.

2. All works are to be undertaken in accordance with the endorsed Construction Environmental Management Plan.
3. 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
March 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 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 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 Fire of January/February 2020 burnt most of Namadgi National Park, including the Yankee Hat Walking Track and adjacent Gudgenby Valley. Most of the walking track was affected by the fire, including the footbridge and boardwalk at Bogong Creek crossing. Rainfall events following the fire also led to several flooding events of Bogong Creek, further affecting the infrastructure at the crossing. The damaged structures were removed in 2021 for safety reasons.

This project will replace the boardwalk and footbridge with fire resistant steel structures using the same footprint, re-linking the two sections of track on adjacent sides of the creek. The project also forms one of the deliverables under the Commonwealth funded Black Summer Bushfire Program Recovery, for which the ACT Government, with the Parks and Conservation Service (PCS) as the lead agency, is contracted to deliver by end of March 2025.

Documentation Submitted

- ESO supporting statement – Yankee Hat walking track- Bogong Creek footbridge;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The section of Yankee Hat Walking Track subject to this ESO Supporting Statement is centred on Bogong Creek. The bridge spans the creek channel, and the elevated boardwalk traverses a typically waterlogged sedge and tussock floodplain adjacent to the creek. Bogong Creek is part of the Gudgenby River catchment. Both water quality and waterbug survey results in 2022 were given an ‘excellent’ rating by the Waterwatch program. Riparian condition is recovering well after impacts from the Orroral 2020 fire.

The site is dominated by exotic species including *Holcus lanatus*, *Plantago lanceolatus* and *Hypochaeris radicata*. Native grasses such as *Anthosachne scarbrum* and *Rytidosperma racemosum* are common, along with a low abundance of native disturbance tolerant forbs including *Euchiton japonicum*, *Asperula conferta* and *Vittadinia mulleri*. The site does not meet the criteria for inclusion in any of the endangered ecological communities.

The bridge and abutments will cross Bogong Creek approximately 30m north of the Bogong fen. The fen itself is part of the Alpine Bogs and Fens endangered ecological community but the proposed works do not occur within the boundary of this community. The riparian and instream vegetation at the bridge site is primarily dominated by native species including *Eleocharis sphacelata*, *Carex appressa* and

Juncus australis along with some exotic forbs like *Veronica anagallis-aquatica* and *Myosotis laxa* subsp. *Caespitosa*.

The broader surrounding 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.

At least 35 species of mammals, 14 species or subspecies of frog, over 41 species of reptiles, four native fish species and over 130 species of birds have been recorded in Namadgi National park/within a 500m radius of the development site. There are 12 animal species listed as threatened under the *Nature Conservation Act 2014*:

- Northern Corroboree Frog (*Pseudophryne pengilleyi*)
- Two-Spined Blackfish (*Gadopsis bispinosus*)
- Trout Cod (*Maccullochella macquariensis*)
- Macquarie Perch (*Macquaria australasica*)
- Murray River Crayfish (*Euastacus armatus*)
- Hooded Robin (*Melanodryas cucullate*)
- Brown Treecreeper (*Climacteris picumnus*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Little Eagle (*Hieraaetus morphnoides*)
- White-Winged Triller (*Lalage sueurii*)
- Smoky Mouse (*Pseudomys fumeus*)
- Spotted-Tailed Quoll (*Dasyurus maculates*)

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.

Several rare and unusual species occur in Namadgi, but only two plant species are formally recognised as threatened: *Gentiana baeuerlenii* (a sub-alpine herb) and

Corunastylis ectopa (Brindabella Midge Orchid). Both are declared threatened under ACT and Commonwealth legislation.

The Ginini Flats Wetlands is included on the *List of Wetlands of International Importance* (Ramsar) in recognition of its significant ecological characteristics and is the only Ramsar Wetland in the ACT.

Potentially Significant Environmental Impacts

The works as proposed are confined to the existing footprint where the previous footbridge and elevated boardwalk were constructed using treated pine. The works will have minimal impact to the surrounding values and the track crossing of Bogong Creek will become more sustainable with the new infrastructure preventing trampling and erosion issues. The use of steel will harden the track for future events, such as fire and flooding.

Proposed works are to be implemented by a contractor by hand and small machinery, as well as small to medium sized excavator and medium sized truck. Access to the site is easily navigated by medium sized truck from the Yankee Hat car park, via a grassed track. The reconstruction of this section of the Yankee Hat Walking Track will lead to a better outcome for the environment and visitor experience in this popular part of Namadgi National Park.

Eleocharis sphacelata is a rare and uncommon species in the ACT, known to be present in only seven locations in the Territory, including three records in Namadgi NP. This species occurs directly below the proposed bridge deck, but provided there is no instream disturbance it should not be impacted by the proposal as the elevation of the bridge will allow enough light through to the plants. A condition has been included to ensure the protection of the rare *Eleocharis sphacelata*.

1. The rare and uncommon *Eleocharis sphacelata* occurs directly below the proposed bridge deck. No instream disturbance is to occur. A works plan should include briefing of all contractors on the importance of avoiding any disturbance to the instream habitat.
2. All works are to be undertaken in accordance with the endorsed Construction Environmental Management Plan.
3. 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.