ENVIRONMENTAL SIGNIFICANCE OPINION - Namadgi National Park Grazing Exclosures (ESO 202400036)

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

APPLICANT

James Vandersteen, University of New South Wales.

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 proposal is to establish 20 fenced exclosure sites within sub-montane grassland edge habitat in Namadgi National Park to investigate grazing impacts of macropods on native vegetation, as part of a larger project investigating the role of dingoes as apex predators in the Australian Alps.

LOCATION

Namadgi National Park and surrounds:

- Mount Clear - Blocks 39; and 40.
- Rendevous Creek - Blocks 12; 14; 10; 25; 9; and 8.
- Tennent - Blocks 91; 55; 54; and 53.

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. Equipment and vehicles must be clean of soil and vegetation before entering the park. A high-pressure cleaner is available at the Namadgi depot.
2. Exclosures must be positioned to avoid rare and threatened species, mapped natural temperate grasslands, and areas of high understorey diversity.
3. Parks and Conservation Service and the Office of the Conservator for Flora and Fauna must be invited to inspect the sites prior to construction of exclosures.
4. The applicant must GPS the final location of each exclosure once erected and provide this information to the Namadgi Park Manager.
5. Each exclosure must be signposted. Signposts must state the purpose of the exclosure and duration they will be within Namadgi National Park.
6. The applicant assumes all responsibility for upkeep and maintenance of the exclosures for the duration of the project.
7. Parks and Conservation Service reserve the right to undertake any necessary actions in relation to maintenance or risk management.
8. The exclosures must be removed from Namadgi National Park within 20 months of being erected, unless permission is granted by Parks and Conservation Service for a longer duration.
9. All incidents of injury to fauna potentially associated the exclosures must be immediately reported to the Conservator of Flora and Fauna and the Executive Branch Manager of ACT Parks and Conservation Service.
10. 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.

Bren Burkevics
Conservator of Flora and Fauna

4 September 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 20 exclosures are all 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 proposal is for the temporary construction of 20 exclosures (5 x 5m, by 2m high) within Namadgi National Park as part of a larger research project investigating the role of Dingoes as an apex predator in the Australian Alps. The primary focus of the proposal is to understand predator avoidance behaviour in red-neck wallaby populations by excluding macropods from small patches of vegetation and comparing this to areas where macropods are not excluded. Vegetative responses to grazing pressure will be determined using plot-based measurements of plant community/strata morphometrics (e.g., height, ground cover, canopy cover), and basic species groups abundances and diversity.

The targeted vegetation community for the exclosures is dense moist tussock grasslands dominated by snow grass and/or kangaroo grass in the upper stratum, with a variety of forbs. This community is generally found in cool, moist, high-altitude areas. The exclosures will be placed in sub-montane moist tussock grassland edge habitat (where the closed forested habitat meets the open grasslands) and will be positioned to avoid larger shrubs and trees.

Exclosures are proposed to remain in-situ for 18 months before being dismantled and removed from Namadgi.

Documentation Submitted

- Namadgi NP Grazing Exclosure Locations Map
- Namadgi NP Grazing Exclosure Coordinates
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The proposed research project is being undertaken within Namadgi National Park, which covers approximately 46% of the ACT and supports numerous rare and threatened species and ecological communities. Namadgi also contributes to regional ecological connectivity through its links to reserves within NSW. Ecosystems within Namadgi National Park include:

- open grasslands and frost hollows, primarily on the eastern side of the park in the Orroral and Boboyan valleys;
- low open woodlands covering much of the higher montane areas;
- tall wet forests and fern gullies in sheltered locations, primarily on the western side of the park;
- wetlands including sedge fens in the valleys and sphagnum moss bogs on peaks; and
- sub-alpine peaks and alpine communities above 1600m.

Several proposed exclosure sites are within, or in close proximity to, areas which potentially support critically endangered *Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT* (herein Natural Temperate Grasslands), which is listed as critically endangered in the ACT under the *Nature Conservation Act 2014* and nationally under the *Environment Protection and Biodiversity Conservation Act 1999*. Exclosures within the Orroral and Boboyan valleys have a higher likelihood of impacting this threatened ecological community.

Several rare and threatened species have potential to occur within proximity to the proposed exclosure sites. Of note, the following listed threatened species have been recorded within approximately 500 m of the proposed exclosure sites:

- Hoary Sunray (*Leucochrysum albicans subsp. tricolor*) – Endangered;
- Key's Matchstick Grasshopper (*Keyacris scurra*) – Endangered;
- Scarlet Robin (*Petroica boodang*) – Vulnerable;
- Hooded Robin (*Melanodryas cucullata cucullata*) – Endangered;
- Gang-gang Cockatoo (*Callocephalon fimbriatum*) – Endangered; and
- Spotted-tailed Quoll (*Dasyurus maculatus maculatus*) – Vulnerable.

Potentially Significant Environmental Impacts

Several proposed exclosures are within areas mapped as potential Natural Temperate Grasslands. To ensure this threatened community is not impacted by the proposed exclosure fencing, areas which meet criteria for listing as Natural Temperate Grassland threatened ecological community should be avoided, in consultation with the Office of the Conservator, as per the below conditions.

Several rare and threatened flora species have been recorded within proximity to the proposed exclosure sites, including the endangered Hoary Sunray. This species relies on bare ground and an open habitat to germinate and persist within the landscape. The species is relatively short-lived and is reliant on having bare ground available for seeds to establish. The proposed exclusion of macropod herbivory presents a risk of increasing biomass and reducing habitat suitability. However, the risk of significant impacts to this species through reduced herbivory is negligible, given the small size of proposed exclosures and widespread distribution of the species. To ensure impacts are avoided, exclosures should be positioned to avoid all rare and threatened flora.

The exclosures will be restricted to grassland vegetation and will avoid fencing trees and larger shrubs. Fencing will utilise larger gauge panels on the bottom meter of the exclosures to allow smaller wildlife to move freely through the exclosures whilst restricting access to kangaroos and wallabies. Noting the size of each exclosure (5 x 5 m) relative to surrounding vegetation, habitat values within each exclosure are unlikely to be meaningfully reduced within the broader landscape. In consideration of

these factors, the proposal is unlikely to result in a significant impact to rare and threatened fauna.

Conditions have been included to ensure that the proposed fenced exclosures do not impact sensitive ecosystems and relevant entities are appropriately informed.

1. Equipment and vehicles must be clean of soil and vegetation before entering the park. A high-pressure cleaner is available at the Namadgi depot.
2. Exclosures must be positioned to avoid rare and threatened species, mapped natural temperate grasslands, and areas of high understorey diversity.
3. ACT Parks and Conservation Service and the Office of the Conservator for Flora and Fauna must be invited to inspect the sites prior to construction of exclosures.
4. The applicant must GPS the final location of each exclosure once erected and provide this information to the Namadgi Park Manager.
5. Each exclosure must be signposted. Signposts must state the purpose of the exclosure and duration they will be within Namadgi National Park.
6. The applicant assumes all responsibility for upkeep and maintenance of the exclosures for the duration of the project.
7. Parks and Conservation Service reserve the right to undertake any necessary actions in relation to maintenance or risk management.
8. The exclosures must be removed from Namadgi National Park within 20 months of being erected, unless permission is granted by Parks and Conservation Service for a longer duration.
9. All incidents of injury to fauna potentially associated the exclosures must be immediately reported to the Conservator of Flora and Fauna and the Executive Branch Manager of ACT Parks and Conservation Service.
10. 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.