

# Planning and Development (Conditional Environmental Significance Opinion – Block 363, Paddy’s River – Namadgi 1080 Bait Facility) Notice 2020

**Notifiable instrument NI2020–263**

made under the

**Planning and Development Act 2007, s 138AD (Requirements in relation to environmental significance opinions)**

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## **1 Name of instrument**

This instrument is the *Planning and Development (Conditional Environmental Significance Opinion – Block 363, Paddy’s River – Namadgi 1080 Bait Facility) Notice 2020*.

## **2 Commencement**

This instrument commences on the day after its notification day.

## **3 Conditional Environmental Significance Opinion**

- (1) On 17 April 2020, the Conservator of Flora and Fauna, pursuant to section 138AB(4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant a conditional environmental significance opinion in relation to construction, on Block 363, Paddy’s River of a bait shed facility at the Namadgi National Park Visitor Information Centre depot.

- (2) In this section:

***Conditional environmental significance opinion*** means the opinion in the schedule.

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

Brett Phillips  
Delegate of the Planning and Land Authority  
07 May 2020

## **Schedule**

**See section 2(2)**

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### **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, Environment, Planning and Sustainable Development Directorate, as represented by Anthony Davis, Project Officer.

#### **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 construction of a bait shed facility at the Namadgi National Park Visitor Information Centre depot as described in the submission.

#### **LOCATION**

The proposed works are located at the Namadgi National Park Visitor Information Centre/depot, Block 363, Paddy's River.

#### **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 condition 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 condition made under s138AB(4) of the Act:

- Prior to entering the reserve vehicles and machinery must be cleaned and free of any plant material or soil.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

17<sup>th</sup> April 2020

## 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 1(a) development that may impact on a species or ecological community that is endangered, a species that is vulnerable; protected; or has special protection status;*

Block 363 Paddys River contains:

One community listed as threatened:

- Yellow Box – Blakely's Red Gum Grassy Woodland (Box-Gum Woodland)

Several threatened woodland birds including:

- Scarlet Robin (*Petroica boodang*)
- Hooded Robin (*Melanodryas cucullata*)
- Brown Treecreeper (*Climacteris picumnus*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- White-Winged Triller (*Lalage sueurii*)

*Part 4.3, item 3 proposal for development on land reserved under s 315 for the purpose of a wilderness area, national park, nature reserve or special purpose reserve.*

The location of the proposed works has a Special Purpose Reserve overlay.

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 proposal is for construction of a prefabricated kit “shed”, situated on a concrete slab located within the existing Namadgi National Park depot footprint. The works will include:

- excavation of footings and concrete pours (confined to existing gravel pad);
- installation of the “shed” (approximately 11 m x 6 m);
- excavation of a 20 m long x 0.5 m wide x 0.6 m deep absorption trench located at the back of the building; and
- installation of drainage pipe, to be infilled with gravel and topped with excavated soil.

This project will result in a purpose-built facility which will improve the work environment and facilities for preparation and storage of 1080 baits, improve safety and security, and increase efficiency.

### **Documentation Submitted**

- Documentation to support an application for an Environmental Significance Opinion – Construction of a 1080 Bait Shed Facility at the Namadgi National Park Visitor Information Centre;
- Form 1M.

### ***Natural conservation values present***

The special purpose reserve at Namadgi Visitors Centre generally meets the Commonwealth definition of White Box-Yellow Box-Blakely’s Red Gum Grassy Woodland and Derived Native Grassland and is mapped as community U19 Blakely’s Red Gum-Yellow Box Woodland under ACT vegetation mapping. The woodland around the Visitors Centre is of high connectivity value, being a key link between Namadgi National Park and the Murrumbidgee River and then onto Rob Roy Range. Several bird species listed as threatened in the ACT are reasonably regularly recorded in the woodland patch including White-winged Triller, Varied Sitella, Scarlet Robin, and Hooded Robin.

In comparison to Box Gum woodland across the ACT the woodland has moderate diversity and condition, and no threatened or rare species have been recorded in the immediate vicinity of the works.

The shed is to be installed within the existing depot footprint in an area which has been previously disturbed.

### **Impact on the Reserve**

Impacts on the natural values of the area will be minimal as the physical ground disturbance is minimal and will mostly occur on an existing gravel pad. No significant species or ecological communities have been recorded in the direct area of works and the proposed location is out of view of the general public.

The supporting documentation includes suitable mitigation measures including:

- limiting construction during and following periods of heavy rainfall;
- utilising formed management tracks wherever possible; and
- storing machinery and vehicles in existing sheds and hard surface areas at the depot.

The installation of a purpose-built facility will enhance the pest management capabilities of the ACT Parks and Conservation Service for the conservation of the ecological values of the park.

### **Potentially Significant Environmental Impacts**

The site has been well chosen to avoid more than minor clearance of already disturbed vegetation. Impacts to flora and fauna are unlikely.

A condition has been included to ensure that works will not introduce weed species to the reserve:

- Prior to entering the reserve vehicles and machinery must be cleaned and free of any plant material or soil.

It has been determined that if the works are undertaken in a manner consistent with the above condition 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.