

# Planning and Development (Environmental Significance Opinion – Block 363, Paddy’s River – Ranger’s Residence Access Road) Notice 2021

## Notifiable instrument NI2021–163

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 (Environmental Significance Opinion – Block 363, Paddy’s River – Ranger’s Residence Access Road) Notice 2021*.

### 2 Commencement

This instrument commences on the day after its notification day.

### 3 Environmental Significance Opinion

- (1) On 25 February 2021, the Conservator of Flora and Fauna, pursuant to section 138AB (4) of the *Planning and Development Act 2007* (the **Act**), gave the Applicant an environmental significance opinion in relation to construction, on Block 363, Paddy’s River, of a 100-metre-long vehicle access road from the Namadgi National Park Visitor Information Centre car park road to the existing main driveway for the Ranger’s residence.

- (2) In this section:

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

*Note* Under section 138AD (6) of the Act, the 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  
18 March 2021

## 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 Wade Young, Ranger in Charge.

#### **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 an access road to service the Ranger's residence at the Namadgi National Park Visitor Information Centre 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 mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

Attached is a Statement of Reasons for the decision.



Ian Walker  
Conservator of Flora and Fauna

25 February 2021

## 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 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 100 metre long vehicle access track from the main Namadgi National Park Visitors Centre car park road to the existing main driveway for the Ranger residence. Construction will include:

- Excavation of the existing surface material to a depth of 200mm and a width of 3 metres;
- Fill the excavation with clean granite/gravel material;
- Shaped and compacted for drainage and integrity;
- Realignment of the existing cattle grid to within the new road;

- Removal and rehabilitation of part (approximately 30 metres) of existing driveway.

#### **Documentation Submitted**

- Documentation to support an application for an Environmental Significance Opinion –Namadgi VIC Rangers Residence access road;
- 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 access road is to be constructed in an area that is completely dominated by non-native vegetation

#### **Impact on the Reserve**

Impacts on the natural values of the area will be minimal as the physical ground disturbance will occur in an area dominated by non-native vegetation, much of which is weed infested. No significant species or ecological communities have been recorded in the direct area of works.

The supporting documentation includes suitable mitigation measures including:

- Constructing at a low grade across the flat site;
- The use of sediment fencing around the construction and stockpiles;
- Avoiding work when rain events of 10mm are forecast within 24 hours are predicted to occur or have occurred;
- use of site security fencing and signage.

The construction of the new access road will allow the private resident to access their dwelling without having to traverse the Namadgi Depot and Visitor Centre.

#### **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.

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