



# Addendum report

## Modification of a determined Review of Environmental Factors in Beowa National Park

### Original (Current) Review of Environmental Factors (REF)

CM reference	SF22/158687 (DOC22/1046808)
REF title	Light to Light Walk
Determined by	Michael Saxon, Director South East Biodiversity Conservation Division
Date determined	08/06/2022

## Addendum report

By submitting this report for determination, the person preparing the report and the proponent of the modified activity certify they have reviewed and endorsed the contents of this document and, to the best of their knowledge, it is in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act), the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) and the Guidelines approved under section 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

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Endorsed by	Andrew Wall, Area Manager – Sapphire Coast (as proponent)

# 1. Overview

## 1.1 Current activity as determined under the Environmental Planning and Assessment Act

The proposal involves track realignment and reinstatement of tracks damaged by bushfire; creation of hut accommodation and formalisation of camping areas; and upgrade works to precinct parking and small vehicle access trails. Additional works include maintenance of existing tracks and vehicle trails, and rehabilitation and revegetation.

### 1.1.1 Activity 1 – Walking track

- Realign the existing Light to Light Walk from Boyds Tower to Green Cape lightstation (identified as 'Activity 1 – Walking Track' in Figures 2, 3 and 4).
- Reinstate bushfire-impacted sections of track that are not identified for realignment (identified as 'Existing Walking Tracks' in Figures 2, 3 and 4).
- Maintain existing sections of track that were not bushfire-impacted or are not identified for realignment (identified as 'Existing Walking Tracks' in Figures 2, 3 and 4).
- Rehabilitate and revegetate redundant sections of the track that would be closed (identified as 'Redundant Tracks' in Figures 2, 3 and 4).
- Install wayfinding, directional and interpretative signs.

### 1.1.2 Activity 2 – Accommodation and facilities

- Construct new hut accommodation and facilities at Mowarry Point.
- Formalise the existing camping area at Mowarry Point.
- Construct new hut accommodation and facilities at Hegartys Bay.

### 1.1.3 Activity 3 – Vehicle and site access

- Maintain Hegartys Bay Vehicle Access Trail (called Hegartys Management Trail in the park plan of management) and establish a small compound at the eastern end of the trail capable of helicopter sling operations.
- Upgrade Hegartys Bay Access Track to a boardwalk and/or gravel path from the aforementioned compound to the Hegartys Bay hut accommodation area to enable ATV (all-terrain vehicle), e-bike, or trolley access to the hut area.
- Upgrade the Pulpit Rock car park precinct, including adjusting the turning circle and parking, and retaining the existing amenity block.

## 1.2 Proposed modification to activity

The proposed modification applies to Activity 2 – Accommodation and facilities:

**Mowarry Camping Area** – National Parks and Wildlife Service (NPWS) proposes that the activity of 'formalising the existing camping area at Mowarry Point' will include the installation of an additional 4 x camp platforms. The formalisation would also include establishment of a natural ground group camping area to accommodate up to 12 x 2-man tents – set aside for Education groups.

**Hegartys Bay** – 10 x camp platforms are proposed to be constructed in place of the 3 x bunk huts, 6 x Twin huts and Staff module. A remote toilet is proposed to be installed in place of the amenities block.

The proposed modification of activity 2 at Hegartys Bay would require an amendment to the Plan of Management for Beowa National Park (previously Ben Boyd National Park).

## 1.3 Justification for the modification

Development of the hut accommodation at Hegartys Bay has been found to be unviable. A lower key camping area is now proposed for this location, utilising camping platforms to define tent sites and limit the impact of informal campsites. Consistent with the Plan of Management (as amended), huts and other hard-roofed and/or tented accommodation may be built in the future at Bittangabee Bay.

NPWS's proposed modifications of Activity 2 will expand the opportunity for low-impact, nature-based accommodation for walking track users and general park visitors.

The proposed modification would allow NPWS to install an accommodation solution that delivers on the objectives and purpose of the original proposal with no increased environmental impacts.

## 2. Detailed description of the modification

### 2.1 The current Review of Environmental Factors

The environmental impact assessment in the current REF covers the following activities:

#### 2.1.1 Mowarry Camping Area

- 10 x tent sites – these would be marked with bollards or fences, and some may require imported material to create a level pad or a tent platform
- formalised footpaths – natural surface or as floating boardwalk
- a double stall standard NPWS skillion toilet with pump-out tank
- a small service area for truck turnaround during pump-out.

The area would utilise existing disturbed areas as much as possible, however, minor clearing would still be required. The existing service track would be retained and used to access the toilet for pump-out. No water would be provided.

#### 2.1.2 Hegartys Bay

The new hut accommodation at Hegartys Bay is comprised of:

- 6 x twin-share huts
- 3 x 8-share huts
- 1 x communal hut, with basic kitchen and dining area, treated water and solar power
- 1 x amenity hut comprising 4 stalls, remote composting toilets and non-potable water
- 1 x staff hut, with amenity and cooking facilities and solar power and constructed to meet BAL-FZ and sized as a bushfire refuge
- 1 x storage module with a small workshop and battery store
- a new boardwalk or gravel path would be constructed from the Light to Light Walk to the amenity hut for servicing using ATV, e-bike or electric trailer

- other footpaths would be natural surface, gravel or floating boardwalk
- 2 x large rainwater tanks would be installed on gravel beds
- small gas tank and generator stores would be built at rear of the area on concrete pad footings and would include screening.

The accommodation would be of timber structure on ground screw piers, built to meet BAL-29 with small APZs. The area's design uses existing disturbed areas as much as possible. Where vegetation clearing would be required, this would be restricted to the minimum area required to establish the site and APZs to ensure the accommodation area is screened from other park users. Some bushfire regrowth establishing species that have a short life would be managed to encourage the end state of the ecological community.

The staff module would be constructed to BAL-FZ rating and used as a bushfire refuge and would be sized to accommodate all people at the area in the event of a catastrophic bushfire.

Filtration trenches would be installed in the northern corner of the site to dispose of all non-toilet wastewater and would be left to revegetate (excluding large trees). Toilet waste would be captured in compost units beneath each pan. Electrical conduits, gas pipes, water pipes and wastewater pipes would be hung off the boardwalk where possible to reduce trenching.

## 2.2 Modification description

### 2.2.1 Summary of changes

#### Mowarry Camping Area

NPWS proposes to expand the provision for camping at Mowarry Point with 4 x additional camping platforms and a natural surface group camping area.

The camping area (as modified) would now comprise:

- 10 x hardwood camping platforms (5.4m x 3.6m) (see Appendix 1 and 2)
- 4 x ground camping pads 5.4m x 3.6m
- 1 x natural ground group camping area to accommodate 12 x 2-man tents

This would increase the maximum capacity of the Camping Area from 36 pax to 68 pax.

#### Hegartys Bay

NPWS proposes to install a remote toilet in place of the amenities block and hardwood camping platforms in place of the 6 x twin-share huts, 3 x 8-share huts and 1 x Staff module planned for Hegartys Bay.

The construction would comprise:

- 10 x hardwood camping platforms (5.4m x 3.6m) (Appendix 1 and 2)
- Remote toilet in place of the amenities structure

The proposed modification to allow walk-in camping at Hegartys Bay will require an amendment to the Beowa National Park Plan of Management (as amended). Any of these works are conditional on adopting such an amendment.

### 2.2.2 Category of modification

This modification is considered a Category B 'negligible modification' as it is only a minor variation to the activity which will result in a negligible variation in the level of environmental impact. There is no proposed change in use, location, footprint or scope, and so the proposal remains substantially the same activity.

## 2.2.3 Scope of modification to Review of Environmental Factors

This modification would require the following changes to the existing REF:

### Section 1 Brief description of the activity p.8

A map of the additional camp sites at Mowarry Point (at Appendix 3) would supersede Figure 5 from the original REF.

A map illustrating the location of the proposed camping platforms and remote toilet camp sites at Hegartys Bay (at Appendix 4) would accompany Figure 5 from the original REF.

### Section 4.1.2 Proposed activities

#### *Mowarry Point p. 45*

Replace

‘10 x tent sites – these would be marked with bollards or fences, and some may require imported material to create a level pad or a tent platform’.

with

‘14 x tent sites – these would be marked with bollards or fences, and some may require imported material to create a level pad or a tent platform’

Also, the addition of:

‘formalise a natural ground camping area to accommodate up to 12 x 2-man tents’

#### *Hegartys Bay p. 46*

Additional text

‘10 x hardwood camp platforms are proposed to be installed in place of the Hut accommodation’

And

‘A remote toilet is proposed to be installed in place of the amenities structure’

### Section 4.4 Objectives of the proposal p. 67

‘Carrying capacity across each hut accommodation area is proposed to be 36 walkers per night.’

to be replaced by:

‘Carrying capacity across each accommodation area would be as follows:

Mowarry Point hut accommodation = 36pax

Mowarry Camping area = 68pax (24pax being for occasional use by education groups)

Hegartys Bay (Camping platforms) = 20pax’

In addition, there are revised technical reports, plans and designs, which are included as appendices to this addendum, as outlined in Table 1.

**Table 1** Revised reports, plans and designs

Attached as	Revised Document Title	Prepared by	Date
Appendix 1	<i>Camping platform design</i>	NPWS	Jan 2015
Appendix 2	<i>Camping platform design (Alternate)</i>	Tasman Engineering	Oct 2023
Appendix 3	<i>Mowarry additional Camp sites</i>	NPWS	Sep 2023
Appendix 4	<i>Hegartys Camp sites</i>	NPWS	Sep 2023
Appendix 5	<i>Aboriginal Impact permit #4945</i>	Heritage NSW	Jul 2022
Appendix 6	<i>Biodiversity Management Plan – revision to include campgrounds at Mowarry Point and Hegartys Bay</i>	Eco Logical	Nov 2023
Appendix 7	<i>Lantern Salvage report – Mowarry and Hegartys</i>	Lantern Heritage	Nov 2023

## 2.2.4 Substantially the same activity

The proposed modification does not include any major changes to the extent, scope or nature of the proposal. As there is no change to the permissibility, purpose, scope or environmental impact put forward in the original Light to Light Walk REF, it can be considered substantially the same activity.

## 2.2.5 Statutory concurrence and consultation requirements

The proposed modification does not require any additional consultation with other public authorities. Additional consultation has occurred with the Registered Aboriginal Parties.

## 2.2.6 Statutory approvals affected by the modification

A variation to AHIP #4945 (Appendix 5) will be required for the proposed 4 x additional platforms to be constructed at Mowarry Point campground.

**Note:** Appendix 5 to be updated with the updated AHIP #4945 documentation pending variation approval.

## 2.2.7 Economic viability of the modification

This modification will be an expansion on works that are already planned for Mowarry Point Camping Area. Incorporating the additional 4 x campsites into existing fabrication and installation contracts will minimise the costs and ensure that the modification can be delivered with minimal impact to the overall program budget.

# 3. Statutory considerations

## 3.1 National Parks and Wildlife Act 1974

The proposed modification will not affect the legal permissibility of the project under the *National Parks and Wildlife Act 1974* (NPW Act). Being substantially the same activity, the proposal will still comply with the objects of the Act as described in Section 2.1.1 of the REF. The minor variation proposed will not impact the proposal's compliance with the objects of the Act, as subject to the application of the principles of Ecologically Sustainable Development,

the management principles for national parks, and operations under plans of management (as amended).

The proposal will still encourage a diversity of visitors to undertake the Light to Light Walk. The current walking track already allows for a fostering of appreciation, understanding and enjoyment of nature and cultural heritage and their conservation. With the modification, the proposed activities would still enhance this and would be consistent with the management principles applicable to the national park and items of heritage significance and the relevant plan of management (PoM) (NPWS 2021a).

## **3.2 Environmental Planning and Assessment Act 1979**

The modification to the proposal will not affect the legal permissibility of the project under the EP&A Act. The proposal is on land reserved under the NPW Act. NPWS, as the proponent, is a public authority for the purposes of the EP&A Act. The proposal does not require approval under Part 4 of the Act and is classed as 'development permitted without consent'.

Being substantially the same activity, the proposal will still comply with the objects of the Act as described in Section 2.1.3 of the REF.

## **3.3 Other state or Commonwealth legislation**

Due to the minor nature of the changes proposed in this addendum, the modification will not affect the legal permissibility of the proposal under the *Heritage Act 1977*, *Biodiversity Conservation Act 2016*, *Rural Fires Act 1997*, *Biosecurity Act 2015*, *Fisheries Management Act 1994*, *Aboriginal Land Rights Act 1983*, and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* or *Native Title Act 1993*.

## **3.4 Natural values**

### **3.4.1 Biodiversity**

#### **Modification**

The proposed modification would not lead to any increase or change in the impact to biodiversity when compared to the original proposal. The vegetation clearing and disturbance footprint would not increase and consequently would have no additional negative impacts to threatened species or their habitat.

#### **Mitigation measures**

Extensive mitigation measures are identified in the original REF's Section 6.3 Biodiversity impacts during construction and operation and the accompanying revision of the Biodiversity Management Plan (Appendix 6). These include:

- implementing pre-clearing protocols
- exclusion zones
- re-establishment of native vegetation
- unexpected finds (threatened species)
- weed and pathogen management
- pre and post monitoring programs for predators and threatened native species.

No additional mitigation or safeguards required.

## **3.4.2 Environmental quality**

### **Modification**

The proposed modification would not lead to any increase or change in impacts to the environmental quality of the area.

### **Mitigation measures**

Extensive mitigation measures relating to erosion and sediment control, soil and water management, chemical use and storage, machinery use and maintenance, watercourse protection and waste management are identified in the original REF Section 6.5 Natural resource impacts during construction and operation.

The additional capacity at Mowarry campground will result in an increased demand for toilet facilities. With 24pax (natural ground camping area) being for occasional use by education groups the campground will rarely reach capacity of 68 pax. Campground usage will be monitored, and additional amenities will be added if needed.

No additional mitigation or safeguards required.

## **3.4.3 Geodiversity, landform, soils and hydrology**

### **Modification**

The proposed modification would not lead to any increase or change in impacts to the geodiversity, landform, soils and hydrology.

### **Mitigation measures**

Mitigation measures related to the conservation of geodiversity, landforms, soils and hydrology are identified in the original REF Section 6.2 Physical and chemical impacts during construction and operation. No further mitigation or safeguards required.

## **3.5 Cultural and social values**

### **3.5.1 Aboriginal cultural heritage**

#### **Modification**

The 4 x additional camping platforms at Mowarry Point are proposed to occur within the existing AHIP footprint. The camping platforms will require footings to be installed, some of which will disturb the ground surface beyond what was originally identified in the proposal. This could potentially lead to an increase in harm to the Archaeological PAD L2L-20-37 (AHIMS #63-3-0285 and #63-3-0312). An application to vary AHIP #4945 will need to be submitted to account for this.

The replacement of huts with camping platforms at Hegartys Bay will take place in the same footprint and with the same level of ground disturbance as the original proposal. An alternative camping platform design was developed (Appendix 2) that requires minimal footing excavations and will have the same or lower level of ground disturbance than the original hut accommodation. No increased risk of harm to Aboriginal cultural heritage items will result from this component of the modification as proposed in this addendum.



Lantern Heritage and Registered Aboriginal Parties have undertaken salvage works at both the Mowarry Point and Hegartys Bay sites (Salvage report: Appendix 7). The report and subsequent consultation with Heritage NSW have identified that other than PAD L2L-20-37 as detailed above, the proposed modification will not lead to any significant increased risk of harm to Aboriginal cultural heritage items. The Registered Aboriginal Parties were invited to comment on the proposed variation, but no comments were received.

### **Mitigation measures**

All activities proposed in this modification would be undertaken under the harm minimisation and management strategies detailed in the Aboriginal Cultural Heritage Management Plan for the original Light to Light proposal and as per the requirements and conditions of AHIP #4945 and any subsequent variations.

## **3.5.2 Historic heritage**

### **Modification**

The proposed modification would not lead to any increase or change in impacts to historic heritage items or their curtilage.

### **Mitigation measures**

Mitigation measures are identified in the original REF Section 6.7 Other cultural heritage impacts during construction and operation. No further mitigation or safeguards will be required.

## **3.5.3 Social values**

### **Modification**

The removal of the hut accommodation option at Hegartys may impact the enjoyment of the area by some elements of the community. This will be mitigated by the future construction of accommodation at Bittangabee Bay. The proposed modification would not lead to any significant change in impacts to the social values of the project.

### **Mitigation measures**

Mitigation measures are identified in the original REF Section 6.4 Community impacts during construction and operation. No further mitigation or safeguards required.

## **3.6 Other environmental factors**

### **3.6.1 NPWS functions and operations**

#### **Modification**

The increase in capacity of the Mowarry camping area and installation of 4 additional camping platform assets will have a minor impact on NPWS operations. The additional assets and visitor capacity will potentially result in a larger maintenance burden for NPWS; however, the increase from the original proposal is negligible.

## Mitigation measures

Ensure camping platforms are fabricated and installed to the specifications as detailed in the NPWS Facilities Manual and engineer's specifications (Appendix 1 and 2). This will reduce maintenance requirements for the camping platforms.

Capacity of the Mowarry Point and Hegartys Bay camping areas will be managed through use of a booking system and NPWS patrols, to avoid any overcrowding or additional impacts to NPWS maintenance operations.

## 4. Conclusion

With the proposed modification, the Light to Light walk remains substantially the same activity and will not lead to any significant increase in environmental impacts. The modification of Activity 2 to include 4 additional camping platforms and the group camping area at Mowarry Point, and replacing hut accommodation with camping platforms at Hegartys Bay, is consistent with the objectives of the original proposal and can be classified as a Type B negligible modification, with no significant increased environmental impact to the overall proposal.

As there is potential for an increase to cultural heritage impacts as a result of this modification, NPWS is seeking a variation to the Aboriginal Heritage Impact Permit #4945 (Appendix 5) with written approval and support from Registered Aboriginal Parties and consulting archaeologists.

This addendum and its appendices provide detail of a minor variation to the activity's scope which will lead to no significant impact to the legal permissibility, natural, cultural or social values of the original proposal.

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