



NSW National Parks and Wildlife Service

Addendum report

Modification of a determined review of environmental factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

Original (current) review of environmental factors

| CM9 reference | Title | Determined by | Date determined |
|----------------------------|--------------------------------|--|-----------------|
| SF18/31594 DOC22/837957 | Tweed Byron Hinterland Walk | Russell Madeley, Director, North Coast Branch | 10 October 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.

| Stage | Position | Contact person | Date finalised |
|-----------------------|---------------------------------------|------------------|----------------|
| Prepared by | Senior Project Officer | Daryl Moncrieff | August 2023 |
| Endorsed by proponent | Area Manager Tweed Byron Area | Jenny Atkins | 15 August 2023 |
| | A/Area Manager Richmond River Area | Amanda Moncrieff | 22 August 2023 |

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

1. Overview

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

The proposed Tweed Byron Hinterland Trails (TBHT) project will involve the establishment of a multi-day walk and several shorter walks through Nightcap National Park, Whian Whian State Conservation Area and Mount Jerusalem National Park, connecting Manns Road trail head (near Unicorn Falls in Mount Jerusalem National Park) to the Minyon Falls day-use area in Nightcap National Park.

When completed, the project will comprise 47.74 km of walking tracks (to at least Class 4 hiking track standard, though some sections will be to class 3). The main walk is 35.55 km in length, made up of 8.25 km of new track and 27.30 km of existing tracks, roads and trails. The project will also incorporate a total of 12.18 km of side-tracks from the main route. Upgrades to existing roads and management trails will also be required for the construction and ongoing maintenance of the proposed facilities.

The multi-day walk will also include 3 camps with toilets, camping platforms and other infrastructure (tables, water tanks etc.). Fireplaces will not be provided as open fires are not permitted in the remote areas of these national parks. New camps (from north to south) are referred to as Camp 1, Camp 2 and Camp 3 and will be renamed at a later date.

The TBHT is intended to be walked from north (Manns Road trail head) to south, terminating at Minyon Falls. The route also includes several side-tracks which diverge from the main walk to areas of scenic interest. These include (north to south):

- Whiskey Creek track to Unicorn Falls (~ 1.28 km): new and existing trail connection to Unicorn Falls day use area.
- Rowlands Creek (~ 1.49 km): an existing vehicle trail.
- Jerusalem Cliffs Lookout (~ 0.23 km): an existing vehicle trail and walking track.
- Minyon Grass Loop track (~ 1.24 km): a new track to be constructed as part of the TBHT, connecting Minyon Grass back to Minyon Falls and including the existing side branch to Quandong Falls.
- Minyon Falls pool track (~ 0.13 km): a short side branch from the existing Minyon Loop to formalise the existing rough pathway with stone tread steps and stone paving.
- Eastern Boundary Trail: an existing vehicle trail that will be part of a half-day walk from Minyon Falls to Rummery Park campground (which will loop back to Minyon Falls along the existing Boggy Creek Track).

[NPWS Tweed Byron Hinterland Walk Review of Environmental Factors]

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

The Review of Environmental Factors (REF) was determined on 10 October 2022. Subsequent to feedback from the public exhibition of the draft master plan in late 2022, amendments have been proposed to some components of the project.

Works that have been undertaken to date consistent with the determined REF include:

- construction of Day 4 of the walking track
- construction of sections of Day 3 of the walking track
- construction of sections of Day 1 of the walking track
- refurbishment of Sand Ridge Road bridge.

1.2 Proposed modification to activity

The proposed modifications include:

- the addition of 2 side-tracks on Day 1 and a realignment of a section of Day 2 of the walking track
- a new alignment for much of Day 3 of the walk to avoid vehicle trails, hence improving the visitor experience
- the establishment of an Asset Protection Zone (APZ) adjacent to Camp 2.

1.3 Justification for the modification

The draft master plan was placed on public exhibition from 27 October to 23 December 2022. The REF was also made publicly available to provide background information and assist stakeholders in making their submissions.

Based on the submissions received, the project governance group determined that changes to the master plan were required to improve the visitor experience, improve visitor safety and reduce construction costs. The proposed changes to the master plan led to additional due diligence being undertaken regarding Aboriginal cultural heritage and natural values assessments on the proposed modifications.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

2. Modification of Review of Environmental Factors for the Tweed Byron Hinterland Walk (Gidjuum Gulganyi Walk)

2.1 The current review of environmental factors

The proposed Tweed Byron Hinterland Trails (TBHT) project will involve the establishment of a multi-day walk (Gidjuum Gulganyi Walk) and several shorter walks and side-tracks within Nightcap National Park, Whian Whian State Conservation Area and Mount Jerusalem National Park. The Gidjuum Gulganyi Walk starts at the Unicorn Falls car park (previously referred to as the Manns Road trail head) in Mount Jerusalem National Park and finishes at the Minyon Falls day-use area in Nightcap National Park.

The REF was based on 47.74 km of walking tracks (to at least Class 4 hiking track standard, though some sections will be to Class 3), with the main walk 35.55 km in length. This was to comprise 8.25 km of new track and 27.30 km of existing or former tracks, roads and trails. The project also included a total of 12.18 km of side-tracks off the main route. Upgrades to existing roads and management trails would be required for the construction and ongoing maintenance of the proposed facilities.

The multi-day walk will also include 3 camps with composting toilets, camping platforms and other infrastructure (tables, water tanks, etc.). Fireplaces will not be provided as open fires are not permitted in the remote areas of these national parks. The REF referred to the 3 new camps (from north to south) as Camp 1, Camp 2 and Camp 3, which were to be renamed at a later date in consultation with Aboriginal custodians.

The Tweed Byron Hinterland Walk (now Gidjuum Gulganyi Walk) is intended to be walked from north (Unicorn Falls car park) to south, terminating at Minyon Falls. The side-tracks, which diverge from the main walk to areas of scenic interest, included (from north to south):

- Whiskey Creek track to Unicorn Falls (~1.28 km) – new and existing trail connection to Unicorn Falls day-use area
- Rowlands Creek (~1.49 km) – an existing vehicle trail
- Jerusalem Cliffs Lookout (~0.23 km) – an existing vehicle trail and walking track
- Minyon Grass Loop track (~1.24 km) – a new track to be constructed as part of the TBHT, connecting Minyon Grass back to Minyon Falls and including the existing side branch to Quandong Falls
- Minyon Falls pool track (~0.13 km) – a short side branch from the existing Minyon Loop to formalise the existing rough pathway with stone tread steps and stone paving
- Eastern Boundary Trail – an existing vehicle trail that will be part of a half-day walk from Minyon Falls to Rummery Park campground (which will loop back to Minyon Falls along the existing Boggy Creek Track).

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

2.2 The scope of the modification

2.2.1 Modification description

A number of modifications are proposed to the activity. From north to south they are:

1. an additional short loop of approximately 800 m off the Whiskey Creek Trail section of the Gidjuum Gulganyi Walk that takes walkers down to a rainforest-lined creek before looping back onto the main walk. This sidetrack mostly follows an overgrown former logging road. The loop will be the terminal part of a half-day walk starting and finishing at the Unicorn Falls car park (see Map 1). Note that the proposal in the draft master plan to include a side-track to Rowlands Creek (see above) has been replaced by this proposal
2. an additional side-track of approximately 700 m along the largely overgrown Scrub Trail that runs parallel to Hells Hole Creek. The track then winds its way up to Sand Ridge Road near Camp 1 via a series of switchbacks/steps (see Map 1)
3. a realignment of the ascent up Mt Jerusalem to reduce the number of steps required by adding in a series of switchbacks. The proposed new alignment varies by up to 250 m off the former alignment and adds 560 m to the ascent (see Map 1)
4. the inclusion of an APZ at Camp 2 in Nightcap National Park. This will require modification of vegetation immediately south of the camp to reduce fuel loads (see Map 2)
5. a realignment of Day 3 to avoid the use of Eastern Fire Break as part of the walk. Instead, the alignment now joins Peates Mountain Track south of Peates Mountain. It then follows a series of former logging roads (now largely overgrown) before crossing Peates Mountain Road and linking up to Perlite Road before reaching the Eastern Fire Break. Parts of Day 3 will also be promoted as a half-day loop walk from either Rummery Park or Minyon Falls (see Map 2).

Category of modification

The proposed changes to the activity are considered to be a Category B 'negligible' modification as it is substantially the same activity with only a minor variation to the activity description relating to:

- the addition of 2 new side-tracks
- changes to the alignment of the walking track
- the requirement for an APZ to assist in the protection of Camp 2.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

2.2.2 Table of modifications to the review of environmental factors

| Reference [section in REF] | Current provision | Modified provision | Environmental value [impact] |
|--|---|--|---------------------------------|
| Illustration 1.1 Locality Plan, 1.2 Site Plan and Illustration 3.1 World Heritage and Old Growth Forests | Maps showing former proposed alignment | Updated maps | N/A |
| Conclusion/Justification provided | | | |
| Visual clarification to readers of proposed new alignment and side-tracks | | | |
| 2.2.3 Introduction | Details overall length of walk as 35.55 km comprising 8.25 km of new track and 27.30 km of existing tracks, roads and trails. Also states 12.18 km of side-tracks Lists side-tracks to be constructed | Length of walk has altered by realignment and new distances are 39 km for multi-day walk with 12.2 km of side- tracks. New walking track is 10.8 km, with existing tracks, roads and trails comprising 28.4 km Two new side-tracks to be included | Negligible |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact. Walker experience will be improved | | | |
| 5.1 Description of Proposed Activity | Operational phase of the activity specifies sharing of tracks on Days 1 and 4 between multi-day and day walkers. These shared sections include Manns Road trail head to Rowlands Creek (via Whiskey Creek Trail and Clay Pot Road) and the Boggy Creek Track/Eastern Fire Trail loop | Addition of sections of Day 3 as a shared walking track between multi-day and day walkers | Negligible |
| | | Implementation of APZ to assist in the protection of Camp 2 from bushfire, including the mechanical removal of a strip of vegetation 10–12 m wide to the immediate south of the | Negligible |

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

| Reference [section in REF] | Current provision | Modified provision | Environmental value [impact] |
|---|--|---|---------------------------------|
| | | camp between Gibbergunyah Road and non-flammable rainforest to the east | |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact. Walker experience will be improved | | | |
| 5.1.2 The size of the proposed activity footprint | The size of the proposed activity footprint is 47.74 km of formal walking tracks that are at least approximately 600 mm wide (much of the walk occurs on existing tracks and trails), 3 camps (each typically ~0.3 ha in area) and use of existing tracks and trails | The size of the proposed activity footprint is 51.2 km of formal walking tracks The addition of the APZ adds <0.1 ha to the activity footprint | Negligible |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact | | | |
| 5.1.6 Earthworks or site clearing including extent of vegetation to be removed | A total of 10.59 km of track will be constructed within undisturbed vegetation | A total of 12.9 km of track will be constructed within undisturbed vegetation | Negligible |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact. The realigned route will provide a better walker experience | | | |
| 6.3 Justification for preferred option | The proposed location of the TBHT was selected on the basis of areas of conservation value with existing facilitates/infrastructure that are within proximity to areas of population and tourism | Feedback from stakeholders following the public exhibition of the draft master plan has proposed several alternatives that have been accepted, including realignment of the route and the addition of 2 new side-tracks | Negligible |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact. The realigned route will provide a better walker experience | | | |
| 7.1 Overview | Section 3 of the TBHT utilises part of the | Section 3 of the walking route also utilises part of | Negligible |

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

| Reference [section in REF] | Current provision | Modified provision | Environmental value [impact] |
|---|--|---|---------------------------------|
| | existing Historic Nightcap Track, a formalised and intermittently maintained walking track that connects from Mount Nardi to Gibbergunyah Range Road | the existing Peates Mountain Track | |
| Conclusion/Justification provided | | | |
| Natural and cultural values surveys concluded no additional impact. The realigned route will provide a better walker experience | | | |
| 7.3.2 Flora (including flora of conservation significance) | Field survey for the natural heritage values assessment (refer to Appendix A of the REF) recorded 15 threatened flora species along the TBHT | Additional maps of threatened flora for new sections of the multi-day walk and the side-tracks have been produced. These are included at Appendix A of this Addendum | Negligible |
| Conclusion/Justification provided | | | |
| Botanical surveys concluded no additional impact on threatened flora | | | |
| 7.4.1 Aboriginal cultural heritage | An Aboriginal cultural heritage assessment has been undertaken by Everick Heritage Consultants (refer to Appendix C of the REF) | Additional Aboriginal cultural heritage assessments were undertaken by representatives of the Widjabul Wia-bal native title holders and no impacts of proposed realignments or side-tracks were determined. Additional surveys as works progress will be undertaken by Widjabul Wia-bal representatives or the Tweed Byron Local Aboriginal Land Council (LALC) (depending on location) | Negligible |
| 8.2 Biological Impacts During Construction and Operation | | Add to safeguards and mitigation measures: <ul style="list-style-type: none"> contractors will be required to attend a threatened flora identification workshop prior to commencing works | Negligible |

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

| Reference [section in REF] | Current provision | Modified provision | Environmental value [impact] |
|---|-------------------|--|---------------------------------|
| | | <ul style="list-style-type: none"> contractors will be provided with threatened flora identification site cards and location maps prior to commencing works | |
| Conclusion/Justification provided Further safeguards threatened flora species from misidentification or accidental damage/destruction during construction | | | |

2.2.3 Substantially the same activity

Modification to the REF accommodates realignments to the multi-day walk and 2 additional side-tracks but the activity is substantially the same. These modifications are detailed in the Gidjuum Gulganyi Walk master plan (see 'More information' below).

2.2.4 Statutory concurrence and consultation requirements

N/A

2.2.5 Statutory approvals affected by the modification

Section 2.11 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) required consultation with Lismore Council as the Lismore Local Environmental Plan lists Nightcap National Park and Whian Whian State Conservation Area as heritage items. This consultation has been completed as required.

Other sections of the Transport and Infrastructure SEPP requiring consultation with councils were not triggered.

Consultation with other public authorities under section 2.15 or 2.122 of the Transport and Infrastructure SEPP was also not required.

The activity triggers notification under section 199 of the *Fisheries Management Act 1994* as it will involve works within watercourses that meet the definitions of dredging or reclamation work under section 198A that Act. Therefore, the National Parks and Wildlife Service (NPWS) (as a public authority) must give the Minister for Fisheries written notice of the activity before it carries out or authorises the carrying out of any dredging or reclamation work.

No modifications are required to the statutory approvals already in place.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

2.2.6 Economic viability of the modification

The proposed modification will improve the visitor experience, increasing the market appeal of both the multi-day walk and shorter walk options. The modification will, therefore have a positive economic benefit.

The cost of construction of Day 2 of the walk will be significantly reduced by reducing the number of steps required. This represents a potential cost saving of up to \$200,000, which will adequately cover the costs of the additional track length of Day 3.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

3. Statutory considerations

3.1 National Parks and Wildlife Act 1974

The proposed modification to the activity remains consistent with the Objects of the *National Parks & Wildlife Act 1974* (NPW Act) and the plans of management (*Parks and Reserves of the Tweed Caldera Plan of Management* and the *Whian Whian State Conservation Area Plan of Management* (as amended in 2019)). The plans of management permit the construction of the Tweed Byron Hinterland Trails project (including the Gidjuum Gulganyi Walk) subject to the master plan. The master plan has been prepared in conjunction with this modification and is available online (see 'More information').

3.2 Environmental Planning and Assessment Act 1979

The proposed modified activity may be undertaken without development consent under section 2.73 of the Transport and Infrastructure SEPP as it remains:

- on land reserved under the NPW Act
- for a purpose authorised under the NPW Act (as justified under Section 3.1 above).

Additional natural and Aboriginal cultural heritage values due diligence revealed no additional impact on the activity.

3.3 Other state or Commonwealth legislation considered

N/A

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

4. Impact assessment

4.1 Natural values

4.1.1 Biodiversity

Modification

Natural values surveys were conducted on the proposed new alignments by external consultants GeoLINK (who prepared the original REF and natural heritage values assessment), and any occurrences of threatened species were flagged and recorded. Although new locations were found, no additional species to those recorded in the original natural heritage values assessment were found. The additional level of threat from the proposed modification to the activity was deemed negligible.

Maps of the additional locations of threatened species were provided to contractors before commencement of works, with species identification cards (see Section 2.2.2).

An arborist was also engaged to assess the risk to campers posed by old-growth New England blackbutt (*Eucalyptus campanulata*) in Camp 2. It was deemed that the trees, with the removal of individual dangerous limbs on several trees, should be retained as habitat trees.

A revised Tests of Significance is attached at Appendix A.

Mitigation measures

A natural values assessment of the proposed realignment and side-tracks identified new locations of threatened species. The existing protocols in the REF (e.g. reroutes around individual plants where possible, avoiding dense populations) require no changes and no additional mitigation measures are required.

4.1.2 Environmental quality

Modification

There are no changes to the nature, likelihood or extent of impacts on environmental quality due to the modification.

Mitigation measures

No additional mitigation measures are required.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

4.1.3 Geodiversity, landform, soils and hydrology

Modification

There are no changes to the nature, likelihood or extent of impacts on geodiversity, landform, soils or hydrology due to the modification.

Mitigation measures

No additional mitigation measures are required.

4.2 Cultural values

4.2.4 Aboriginal cultural heritage

Modification

Aboriginal cultural heritage surveys of the realigned sections and new side-tracks were undertaken by the Tweed Byron LALC or the nominated representative of the Widjabul Wialbal native title group, depending on the location. The Tweed Byron LALC will also undertake periodic inspections as works progress on Day 2, given that the dense regrowth vegetation (post 2019 bushfires) currently makes adequate survey difficult.

No additional sites were found in surveys undertaken to date, and hence, there are no known additional impacts to the nature, likelihood or extent of impacts on Aboriginal cultural heritage due to the modification.

Mitigation measures

No additional mitigation measures are required.

4.2.5 Historic heritage

Modification

There are no changes to the historic heritage of the activity due to the modification.

Mitigation measures

No additional mitigation measures are required.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

4.3 Social values

4.3.1 Public exhibition of the draft master plan

Modification

The modification acknowledges the feedback NPWS received through the public exhibition of the draft master plan, which identified alternative side-tracks and a different alignment for much of Day 3. NPWS considered that they would provide a better walking experience than that proposed in the draft master plan.

The changes to Day 2 of the walk will provide an easier ascent of Mt Jerusalem, again increasing visitor enjoyment.

Mitigation measures

No additional mitigation measures are required.

4.4 National Parks and Wildlife Service functions and operations

4.4.1 Infrastructure and critical operations

Modification

The proposed modification does not alter or affect NPWS infrastructure or critical operations.

Mitigation measures

No additional mitigation measures are required.

Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

5. Conclusion

The proposed modification includes:

- the addition of 2 side-tracks on Day 1 and a realignment of a section of Day 2 of the walking track
- a new alignment for much of Day 3 of the walk to avoid vehicle trails, hence improving the visitor experience
- the establishment of an APZ adjacent to Camp 2 that will require periodic vegetation modification.

Additional natural and Aboriginal cultural heritage surveys have revealed no greater impact to the activity as a result of the proposed modification. Additional due diligence for Aboriginal cultural heritage will be undertaken as works progress on Day 2 of the walk. This is due to the extremely dense understory making access and survey work extremely difficult.

6. More information

- [Gidjuum Gulganyi walk master plan](#)
- [Review of Environmental Factors: Tweed Byron Hinterland Trails Walk](#)
- [Tweed Byron Hinterland Trails amendments to plans of management](#)

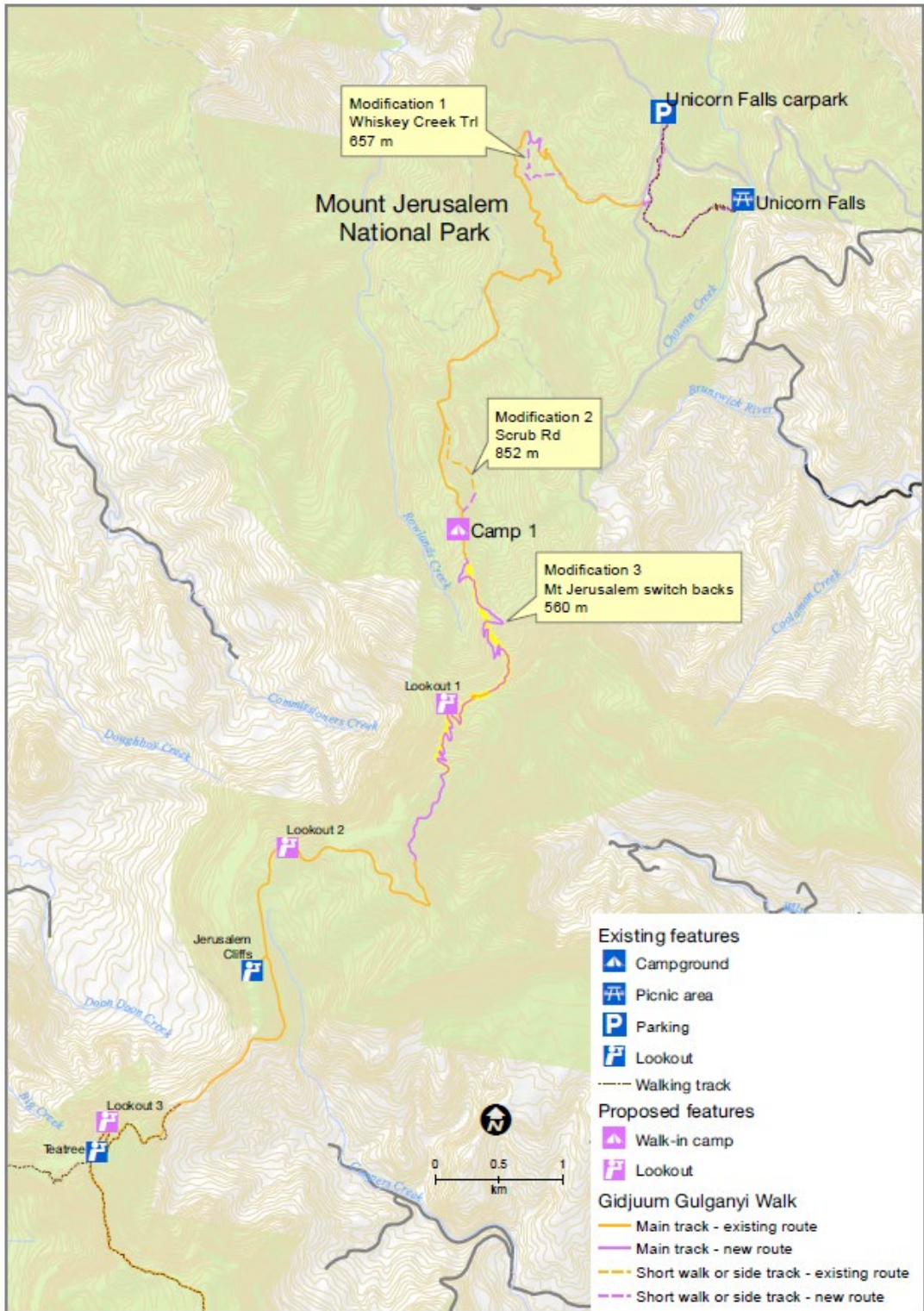
Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

7. Revised technical reports, plans or designs

| Attached as | Revised document title | Prepared by | Date |
|--------------------|-------------------------------|---------------------------|---------------|
| Map 1 | Modifications – north | Tim Perry/Daryl Moncrieff | August 2023 |
| Map 2 | Modifications – south | Tim Perry/Daryl Moncrieff | August 2023 |
| Appendix A | Revised Tests of Significance | Troy Logan Jennings | 1 August 2023 |

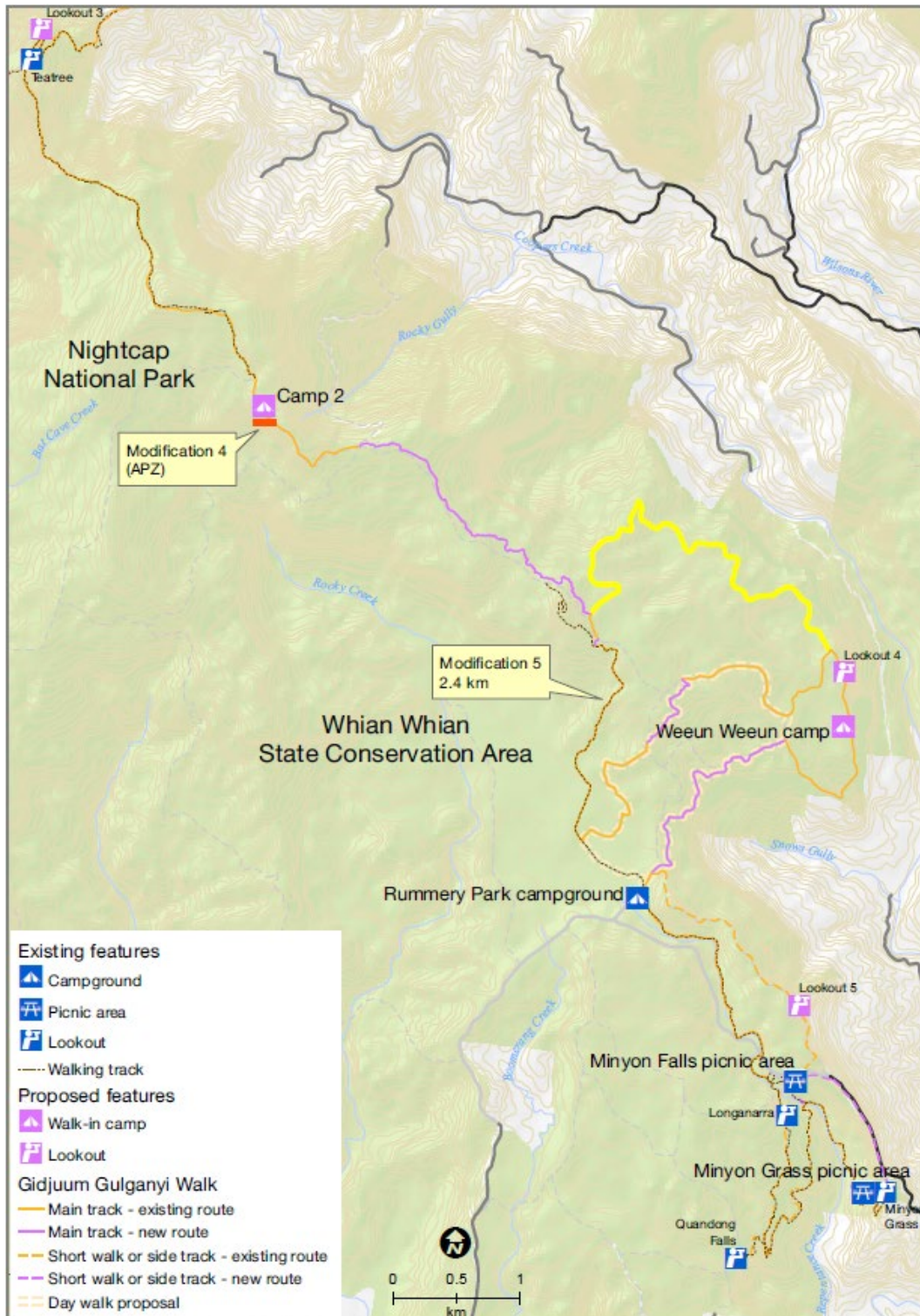
Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

Map 1 – Modifications (north)



Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

Map 2 – Modifications (south)



Addendum Report: Modification of a Determined Review of Environmental Factors in Nightcap National Park, Mount Jerusalem National Park and Whian Whian State Conservation Area

Appendix A Revised Tests of Significance

Department of Planning and Environment,
Environment and Heritage.
Locked Bag 5022, Parramatta NSW 2124; Phone: 1300 361 967
Email: info@environment.nsw.gov.au; www.environment.nsw.gov.au
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