
ENVIRONMENTAL SIGNIFICANCE OPINION - DE SALIS ASBESTOS REMOVAL (ESO 202600008)

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

APPLICANT

ACT Parks and Conservation Service, as represented by Shelley Swain, Ranger in Charge.

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 development proposal is for the removal of an illegal rubbish dump within Gigerline Nature Reserve as described in the submission.

LOCATION

Block 7 Section 12 Tharwa

MATTERS TO WHICH THIS OPINION APPLIES

This opinion applies only to the development proposal as described in the application.

OPINION

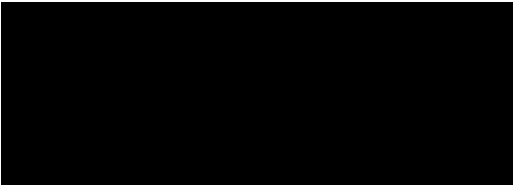
Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Contractors must observe the following standard 'Hot Works' guidance below as the works area is located in Bushfire Prone Land:
 - a) No work is permitted on site when a Total Fire Ban is declared.

- b) On days of High fire danger rating (FBI 25 or greater) all hot works and works that could emit a spark must cease and defer the activities to be undertaken under less risky conditions and what mitigations measures such as fire suppression equipment can be implemented. The daily rating and a four-day outlook are available during the declared bushfire danger period at <https://esa.act.gov.au/> for the proponent to assess risks.
- c) Hot works includes welding, cutting, grinding, or other works involving open flames, or which emit a spark such as excavating hard rock, slashing and brush cutting.

Attached is a Statement of Reasons for the decision.



Bren Burkevics
Conservator of Flora and Fauna

7 April 2026

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 works are within Gigerline Nature Reserve.

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 project is to undertake the removal of an illegal rubbish dump in a highly disturbed part of Gigerline Nature Reserve. The dump contains asbestos, and an accredited asbestos removalist will undertake the removal works. Removal of the dump is also required to

manage the site in accordance with the ACT Bushfire Management Standards 2025 (BMS) for Inner and Outer Asset Protection Zones.

The dump is approximately 50m² in size and in some areas is deeper than 500mm into the ground. It is situated adjacent to the De Salis Fire Trail and aligns closely with the boundary of Outward Bound Australia. It is approximately 40-50m from the northern boundary of the registered ACT Heritage Place, Cuppacumbalong (De Salis) Cemetery.

Works require the use of a small excavator and truck, which will access the site directly off the fire trail. Some movement of the top layers of soil will be required to level the work site to enable truck access. Movement of soil will also be required to ensure complete removal of all of the dump material. The site will be remediated by moving a minimum amount of soil to provide level coverage over the works area, and a native grass seed mix will be directly sown to provide initial soil stabilisation.

Works will not disturb the Cuppacumbalong (De Salis) Cemetery heritage place, and plant and vehicles will not transgress into or through the place. A referral to ACT Heritage was made on 19/02/26 for due diligence.

In addition to the necessary removal of the dump to achieve BMS, vegetation management at the site will contribute positively to the overall efforts by ACT Parks and Conservation Services (PCS) to remove the heavy weed burden of the suckers of English Elms and other exotic tree species in this section of the Murrumbidgee River Corridor. In addition, the aesthetic of the area as former pastoral country will be enhanced, positively supporting the heritage values of the Cemetery. It will also enable clearer access for PCS to maintain the remnant original English Elms, stated as an intrinsic feature of the heritage place and as required in the Cuppacumbalong (De Salis) Cemetery heritage listing.

Documentation Submitted

- De Salis - asbestos removal - map overview
- De Salis - asbestos removal map overview - bushfire management standards
- De Salis asbestos works site with heritage block boundary - satellite
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

The site is within the Gigerline Nature Reserve and approximately 120m from the Murrumbidgee River. The general area is a significant wildlife corridor for several rare and threatened species, and provides important ecological connectivity into Namadgi National Park further south.

The following species listed under the *Nature Conservation Act 2014* have been recorded / known to occur within a 500m radius of the development site:

- Hooded Robin (*Melanodryas cucullata cucullate*)

- Brown Treecreeper (*Climacteris picumnus victoriae*)
- Trout Cod (*Maccullochella macquariensis*)
- Macquarie Perch (*Macquaria australasica*)
- Murray Cod (*Maccullochella peelii*)
- Murray River Crayfish (*Euastacus armatus*)

The dump and the surrounding work site are limited to a small area containing dense exotic English Elm (*Ulmus procera*) suckers and African Love Grass (*Eragrostis curvula*). From the lower side of the site, the remaining (approximately) 100m to the Murrumbidgee is generally flat and is stabilised with a thick cover of weedy ground, mid and canopy vegetation.

Potentially Significant Environmental Impacts

The works are unlikely to impact any ecological values. The site is small, highly degraded and surrounded by high-threat exotics, and unlikely that any threatened species will utilise the site. It is envisaged African Love Grass will quickly cover the disturbed area, however a native grass seed mix will be directly sown to provide initial soil stabilisation. While it is common practice to require a 24-month maintenance period for this type of work within the reserve network, in this case it would be unlikely to achieve a long-term benefit.

Coir logs will be installed below the site to capture any minor run-off that may occur in a serious rain event. Given the surrounding thick weedy overgrowth from the dump site to the Murrumbidgee, it is highly unlikely that sediment will reach the river.

Conditions have been included to ensure that works observe standard 'Hot Works' guidance and minimise bushfire risk in Bushfire Prone Land.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

1. Conditions of approval including mitigation measures as stated in the application.
2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna.
3. Contractors must observe the following standard 'Hot Works' guidance below as the works area is located in Bushfire Prone Land:
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 - c) Hot works includes welding, cutting, grinding, or other works involving open flames, or which emit a spark such as excavating hard rock, slashing and brush cutting.

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.