
ENVIRONMENTAL SIGNIFICANCE OPINION - MOLONGLO GORGE WATER PIPE REPLACEMENT (ESO202600010)

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 Brian Summers, Senior Ranger.

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 excavation of approximately 300m of broken water pipe and replacement with 30 mm poly line, including risers, as described in the submission.

LOCATION

Block 66 Kowen.

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. All machinery must be clean and free of propagules prior to entering the reserve.
4. No mature native trees (50cm+ DBH) are to be removed without prior endorsement by the Conservator.

5. No soil is to be imported into the site without prior endorsement by the Conservator.
6. Should earthworks be required within the tree protection zone (drip line +2m) of mature native trees, hydrovac excavation must be utilised to limit root damage.
7. Should any burrows be encountered during construction, works to be undertaken consistently with the Conservator Guidelines for Conservator Guidelines for the Management of Burrowing Animals During Development.
8. All disturbed areas are to be remediated with local native species, with seeding at a rate of no less than 5g/m² or 50kg/ha or tubestock at a rate of no less than 9 plants per m². Trees and shrubs should be avoided within the pipeline footprint, noting the potential for future earthworks.
9. Post-construction weed control must be undertaken during appropriate control periods across the entire disturbance footprint and access routes for a minimum of 24 months.

Attached is a Statement of Reasons for the decision.



Bren Burkevics
Conservator of Flora and Fauna
City and Environment

20 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 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

- (a) a critically endangered species;*
- (b) an endangered species;*
- (c) a vulnerable species;*
- (d) a conservation dependent species;*
- (e) a regionally threatened species;*
- (f) a regionally conservation dependent species;*
- (g) a provisionally listed threatened species;*
- (h) a listed migratory species;*
- (i) a threatened ecological community;*
- (j) a protected native species;*
- (k) a Ramsar wetland;*
- (l) any other protected matter*

The site meets the criteria for Critically Endangered Box Gum Woodland under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Nature Conservation Act 2014* (NC Act).

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 the Molonglo Gorge 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 will involve excavating approximately 300m of broken water pipe and replacing with a new pipe and valves. Works will require approximately 500m² of soil disturbance, with a width of disturbance approximately 1m and excavation depth likely to be less than 500mm deep.

Works will require removal of approximately 50 shrubs and juvenile eucalypts. No trees with a Diameter at Breast Height (DBH) of >10cm will be removed. No roots with a diameter of greater than 30mm will be cut, hydrovac excavation will be used where required. No material will be imported to backfill the trench. The disturbed area will be reseeded with a mix of indigenous native grasses.

Documentation Submitted

- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

Molonglo Gorge Nature Reserve is a 506ha protected area covering a 16km stretch of the Molonglo River, which flows through a series of cascades and deep pools within the gorge. The reserve is part of a significant regional wildlife corridor that follows the geologically uplifted land along the Queanbeyan Fault Scarp. It connects woodland and open forest in the vicinity of Googong Dam with woodlands in the north of the ACT and surrounding NSW, and linking to the Southern Flyway – a connection of woodland vegetation across the ACT and southern slopes and central west of NSW. Molonglo Gorge, the major feature of the reserve, is several kilometres long with cliffs up to 60m in height, rising to a heavily forested, dissected plateau.

The following species listed under the NC Act have been recorded in the reserve:

- Swift Parrot (*Lathamus discolor*)

- Hoary Sunray (*Leucochrysum albicans subsp. Tricolor*)
- Varied Sitella (*Daphoenositta chrysoptera*)
- Little Eagle (*Hieraaetus morphnoides*)

The vegetation meets the definition of Box Gum Woodland endangered ecological community as defined under both the NC Act and EPBC Act. The site broadly meets the definition of low diversity woodland (16.1.2 - EPBC BGW - Native Dom Ground - Native Canopy - Regen - Low Diversity). The site does not contain any distinct habitat values (i.e. tree hollows, rocky outcrops, riparian areas, termite mounds).

The site contains feeding habitat for a wide variety of woodland birds, with threatened species such as the Swift Parrot and Little Eagle have been recorded close to the water main alignment. Coconut Ants (*Papyrius* spp.) have been recorded in an old post a short distance to the south-east of the toilet block, and a search was conducted for Coconut Ant along the alignment of the works and at the site of the previous record, but none were recorded.

The site has undergone past disturbance through the construction of a road, fence and water main. Native (but not always indigenous) trees and shrubs have been planted across the site, but there are no old growth trees or hollow bearing trees along the water main alignment. There was no evidence of burrowing mammals, however it is likely that Echidna (*Tachyglossus aculeatus*) feed in the area.

Potentially Significant Environmental Impacts

The overall impact of the works is likely to be minimal. The existing alignment will be ripped to remove the pipe and new pipe laid in the trench. An alternative alignment further west was considered, however this option will impact a lot of mature trees by excavating new sections of undisturbed land and result in potentially additional impact, as such it was decided to use the current alignment that had undergone previous disturbance.

Noting the excavation works are in areas where Echidna and other burrowing animals are likely to forage, the *Nature Conservation (Protection of Burrowing Animals During Development) Conservator Guidelines 2025* is to be applied.

Conditions have been included to ensure that works minimise impact to the reserve.

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. All machinery must be clean and free of propagules prior to entering the reserve.
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9. Post-construction weed control must be undertaken during appropriate control periods across the entire disturbance footprint and access routes for a minimum of 24 months.

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.