



ENVIRONMENTAL SIGNIFICANCE OPINION - Bridge 4151 Maintenance Work (ESO 202500025)

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

APPLICANT

ACT Transport Canberra and City Services, as represented by Ms Maggie Dunn, Utilities Policy and Project Manager.

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 repair works to Cotter River bridge #4151 as described in the submission.

LOCATION

Works are located in Block 367 of Paddy's River district.

MATTERS TO WHICH THIS OPINION APPLIES

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

OPINION

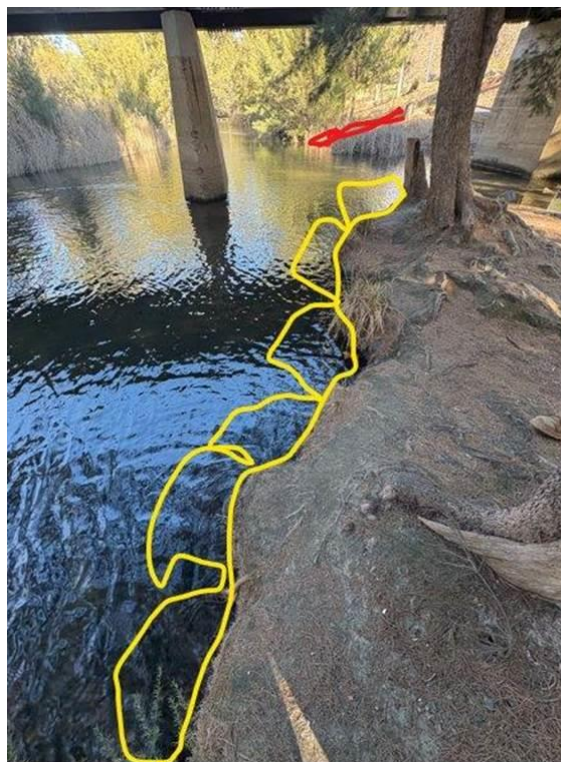
Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

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. Halt construction if the Cotter Dam is overflowing. It is recommended that the proponent engage with Icon Water to discuss minimising pumped/gravity flows from the Cotter Dam for the period of construction (this will only apply to artificial flows and not natural flows over the dam wall).
4. A Construction Environmental Management Plan (CEMP) is to be submitted to the Conservator for endorsement prior to works commencing. The CEMP is to include the following:
 - a) General:
 - i. The *Nature Conservation (Protection of Burrowing Animals During Development) Conservator Guidelines 2025* is to be applied where works may impact on relevant fauna.
 - ii. A Nature Conservation License to interfere with the nest of a native animal must be obtained prior to damaging any nests (including animal burrows).
 - iii. Works to be conducted outside Platypus breeding season (October – December).
 - iv. ACT Parks and Conservation Services (PCS) must be notified at least 14 days before commencement of works.
 - v. PCS must be consulted where construction vehicle access and stockpile locations are, including the levelling of grassed areas and reseeding/watering if required.
 - b) During works:
 - i. A qualified ecologist must deploy baited hoop nets if Murray River Crayfish (*Euastacus armatus*) are found – 15m upstream of works, at the work site, and 15m downstream of works.
 - ii. Any threatened species captured are to be placed 50m downstream of the works site. Captured species must not be placed upstream of Cotter Dam wall.
 - iii. Silt fence to remain in situ for until riverbank has stabilised.
 - iv. In stream silt curtain to be removed as this will limit fauna and aquatic species movement.
 - v. Rocks used must be no smaller than 500mm to create suitable crevices for aquatic species and limit rock migration downstream in heavy flows. Rock must be placed so as not to dam width of river.

- vi. Swamp mats are to be used on all trafficable surfaces within 20m of the river.
- vii. A section of riverbank just upstream of the central column is likely to be impacted by increases in eddying and erosion from the placement of the armouring rock. Armouring rock needs to be placed on the riverbed at the toe of the bank. Approximately 10m² of 500mm – 750mm rock should be placed along the bank to stabilise (as indicated in yellow).



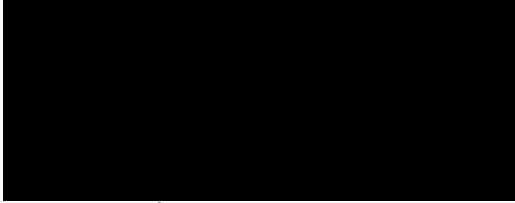
- viii. Access to river should be from the carpark as indicated in below images. If other options are required they must be discussed and approved by PCS.





- ix. If any damage occurs to the concrete or boardwalk of the shared path, it must be repaired including the edges of the path so that there are no depressions.
 - x. Any material imported is to be certified Virgin Excavated Natural Material (VENM) from approved suppliers to the satisfaction of PCS.
 - xi. If the works occur during the Bushfire Danger period they should consider the standard fire prevention measures. Provision should be made for vehicle traffic during works, especially during the bushfire danger period to allow for fire suppression activities.
- c) Site rehabilitation:
- i. Environmental checks are required at project completion and every six months with PCS until two years post construction.
 - ii. Revegetation plantings of select native species including River She-Oaks (*Casuarina cunninghamiana*) and River Bottlebrush (*Callistemon sieberi*) and other understory plantings must be undertaken in consultation with PCS.
 - iii. Any areas of loose soil along the riverbank are to be rehabilitated with coir logs and grass plantings. Lawn is to be made good by scarifying and then sowing with Canberra Dryland and mix rock picked to mowing standard.

Attached is a Statement of Reasons for the decision.



Bren Burkevics
Conservator of Flora and Fauna

5 August 2025

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 Cotter River Special Purpose 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 for repair works to address scouring and undermining to the pier footing of bridge #4151 crossing the Cotter River adjacent to Cotter Bend. Works involve importing 60m³ of rock (D50-750mm) to place around the footing of the bridge. The delivery of the rock to the riverbank will be carried out by a posi-track loader. An excavator will access the river to place the rock around the pier. No material will be removed from the site.

To minimize disturbance to the embankment, delivery track mats and geogrid will be placed on the embankment. A silt curtain will be placed downstream from works to prevent runoff from the access track and the site. Turbidity testing will be conducted daily and works will be put on hold if the testing highlights excessive water disturbance.

Works will be conducted outside of Platypus breeding season (October to December).

Works will be conducted in stages, allowing access to the river for the initial pre-site establishment to be undertaken, and then left for 1-12 hours before the commencement of works to allow fauna to relocate. The work will be completed within 10 to 14 days with approximately four days of site establishment, three days of work in the riverbed and five days of site clean-up and rectification.

The overall impact from the works will be approximately 20m² of riparian zone and 800m² of lawn vegetation along the riverbank.

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

Cotter Special Purpose Reserve is part of the Murrumbidgee River Corridor, which includes five nature reserves and eight special purpose reserves. The site lies approximately 700m downstream of the Cotter Dam wall, and 600m upstream of Cotter Bend where the Paddys River merges with the Cotter River. The Cotter then flows for another 1.3km before flowing into the Murrumbidgee River.

The following NC Act listed species are known to occur within proximity to the site:

- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Macquarie Perch (*Macquaria australasica*)
- Murray River Crayfish (*Euastacus armatus*)
- Murray Cod (*Maccullochella peelii*)
- Scarlet Robin (*Petroica boodang*)
- Pale Pomaderris (*Pomaderris pallida*)

Vegetation along this section of the Cotter River is mostly River She-Oaks (*Casuarina cunninghamiana*) and exotic dominated grassy areas and mainly used as a public recreational space.

Potentially Significant Environmental Impacts

The Cotter River is known habitat for several threatened terrestrial and aquatic species. The main potentially significant environmental impact of the proposed works will be on aquatic species, particularly the Murray River Crayfish which is less mobile and shelters within crevices. To avoid impacts, it is a requirement of the ESO that larger sized rocks greater than 500mm is used to protect the bridge footing. This will create suitable crevices for the Murray River Crayfish, while also limiting the possibility of these rocks being washed away during heavy flows.

Sediment and erosion control is another potential impact to aquatic species. The proponent has included mitigation measures such as placing track mats and geogrid on the riverbank to prevent erosion. The implementation of a longer term silt curtain is deemed excessive as it will limit fauna and aquatic species movement. Additional conditions have been included to provide increased protection along the riverbank and further reduce sediment and erosion entering the Cotter River.

Gang-gang Cockatoos and Scarlet Robins have been recorded in the proximity, however no trees will be impacted by the works. Works are considered to have a minor temporary impact on these threatened species. Conditions have been included to undertake rehabilitation plantings which will provide additional foraging habitat.

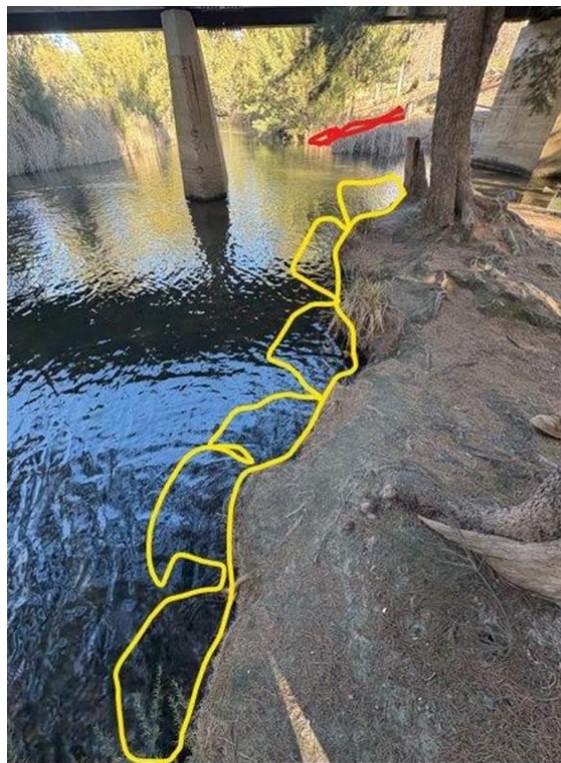
Pale Pomaderris is a small shrub that mostly occurs in dry open forests and shrublands. It is not expected to be within the riparian zone of the Cotter River or the works area and thus unlikely to be impacted by the works.

Conditions have been included to minimize impacts to aquatic species and the riparian zone.

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.
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 - iii. Silt fence to remain in situ until the riverbank has stabilised.
 - iv. The in-stream silt curtain is to be removed as soon as works are concluded as this will limit fauna and aquatic species movement.

- v. Rocks used must be no smaller than 500mm to create suitable crevices for aquatic species and limit rock migration downstream in heavy flows. Rock must be placed so as not to dam width of river.
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 - iii. Any areas of loose soil along the riverbank are to be rehabilitated with coir logs and grass plantings. Lawn is to be made good by scarifying and then sowing with Canberra Dryland and mix rock picked to mowing standard.

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.