

Waltraud Pix
Friends of Mt Majura (FoMM) Co-ordinator

“Politics is the art of preventing people from taking part in affairs which properly concern them.” Paul Valery (1871-1945) French writer and critic

To the
Standing Committee on Planning and Environment

Submission regarding:

**Draft Variation to the Territory Plan No. 261
Part Block 2 Blocks 3 and 5 Section 75 Watson
Changes to Entertainment, Accommodation and Leisure Land Use Policies**

The Draft Variation to the Territory Plan No 261 (Variation) proposes to change the land use policy of part of Block 2, Blocks 3 and 5, Section 75 from **Entertainment, Accommodation and Leisure (EAL) (now COMMERCIAL CZ6 LEISURE AND ACCOMMODATION ZONE)** to **Residential** land use. The Village Building Company proposes to redevelop Block 3 Sec 75 (the Australian Heritage Village) and part of Block 2 (unleased Territory Land) as medium dense residential development comprising 316 dwellings.

Friends of Mount Majura have lodged a submission to the ACT Planning and Land Authority (Attachment 1: Draft Variation TP261 Submission ACTPLA January2008).

I would like to inform the Committee that

- (1) Friends of Mount Majura **strongly object** to the proposed Draft Variation to the Territory Plan No 216 (DV216) for a number of reasons, which were listed in our submission. However, we mainly object, because of the impact the proposed change of land use and associated proposal of medium dense residential development would have on the conservation values of Mount Majura Nature Park and the remnant Yellow Box Blakely's Red Gum grassy woodland that occurs on the subject site.
- (2) Friends of Mount Majura consider the process of community consultation and information on the proposed DV216 **inadequate, exclusive and inappropriate**, given the scale of the DV216, the associated proposal and the very short time-frame imposed on the community to consider the DV216, the associated proposal and to lodge submissions. In addition, community was supplied with **incomplete information** regarding the proposal associated with the DV216 – as we learned only recently.
- (3) Friends of Mount Majura are particularly concerned that information in regard to the DV216 and the associated proposal **had to be obtained through FOI** by the Watson Community Association, which revealed that **this information had not been included in and was not part of the public consultation and information process (Attachment 2: Inquiry Retention Pond in Mt Majura Nature Reserve 16.07.08).**
- (4) Friends of Mount Majura therefore urges the Committee to **reopen the consultation process**, to advise appropriate Government Agencies **to table all relevant information** and to allow community sufficient time to consider the DV216 and the associated proposal.
- (5) The Land and Planning Authority has prepared a report on community consultation (May 2008) (report). Friends of Mount Majura wish to inform the Committee that **the report**

makes false claims in regard to the Flora and Fauna study (Study) commissioned by the proponent. The report states (Report, Response b) page 11:

“The flora and fauna study (Kevin Mills Associates, October 2004) assessed all threatened flora and fauna species occurring in the ACT as listed under the ACT Nature Conservation Act 1980 and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. A thorough search of the site and an assessment of the habitat requirements of the listed threatened fauna species concluded that no such species are likely to occur on the subject site.”

In fact, the Study reported that (a) **remnant ecological community** YBBR listed under ACT legislation **will be affected** and that (b) **two listed species** under ACT and Federal Legislation **have been recorded on site**, or are likely to use the site, and that (c) **the Flora and Fauna study was not sufficient to assess the impact** on flora and fauna because it was only conducted on two days.

- (6) Friends of Mount Majura wishes to inform the Committee that **the report has either ignored, or inadequately addressed, or superficially responded to, the issues** which we raised in our submission. For instance, we objected to the DV216 because

“the proposed change of land use and medium dense residential development with a hard edge to Mount Majura nature reserve threatens the conservation values within the nature reserve and on the site itself (subject site)”.

We argued that a low key development associated with current land use would provide the buffer zone necessary to protect the conservation values. **There was no response to the destruction of conservation values on the subject site.** We consider the reports response (Report, Response a, page 11), that

“this issue will be managed as it is in many other Canberra suburbs that adjoin a nature reserve”,

inadequate, superficial and ignorant of the state of affairs.

- (7) Elaborating on point (6), Friends of Mt Majura consider that to protect habitat and wildlife, **a combination of wise planning and of adequate resources** is required to protect conservation values and to provide ground work and public education. However, it is patently clear that the **available, clearly inadequate resources, are being absorbed by the need to protect Mulligans Flat (and Gorooyaroo) Nature Reserve**, where the negative impact of hard-edge encroachment of new suburbs can be observed already. There is practically no resource left to manage the Mt Majura Nature Reserve (and other CNP units), let alone the negative impact from further urban encroachment.
- (8) The report refers to a street as a buffer. “Buffer” here is defined from a town planner’s point of view, namely a fire buffer zone to protect the life and property of humans. **From the view-point of ecological management, a street is a deadly barrier and an ecological disaster.** A buffer that earns its name in ecological terms, would be a zone that mediates between high-impact land use (residential) and high conservation values (nature reserve).
- (9) Friends of Mt Majura raised **a number of other points**, on the conservation values of the subject site and the adjoining Mount Majura Nature Reserve, which are not, or not directly, related to the impact of the DV216 and the associated proposal. We found that **the report has not or not adequately responded to these points.** For instance, we proposed to keep the land-use unchanged, because future intense residential development in the surrounding area – which could include affordable housing - would require such land use in the future. Land to the east of Antill Street that currently accommodates a caravan park and Carotel, will be most likely changed to residential. Where will the caravan park be relocated? We proposed to consolidate residential development east of Antill Street and keep the current land-use of the subject site, which

is ideally situated for this purpose, and which could be managed to provide the buffer required to protect the conservation values in the Nature Reserve. **We are disappointed that this constructive input was not considered worthwhile to be noted.**

Yours sincerely

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Attachments

- (1) Draft Variation TP261 Submission ACTPLA January2008
- (2) Inquiry Retention Pond in Mt Majura Nature Reserve 16.07.08