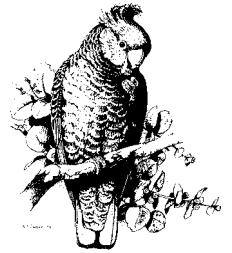


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22 July 2005

Ms Hanna Jaireth
Secretary
Standing Committee on Planning & Environment
ACT Legislative Assembly

By Email: <hanna.jaireth@parliament.act.gov.au>

ACT Assembly Standing Committee on Planning & Environment – Inquiry into Urban Vegetation and Wildlife Corridors

Dear Hanna

Please find below a submission from the Canberra Ornithologists Group (COG) on issues relating to the Inquiry.

We have tried to provide comments on the topics that you specifically requested, and have included other relevant issues, using those issues raised by the Draft Variation to the Territory Plan no. 231 (DV231) as a case study. We have attached our submission to the DV231, as it provides detail in relation to a number of issues that we will mention below (although we recognise that some of these issues have already been addressed in the subsequent variation to the plan).

As we have offered previously, COG officers would be pleased to provide information to you on woodland bird issues at any site visit the Committee may make to Goorooyaroo or Mulligan's Flat Nature Reserves.

COG enthusiastically supported the establishment of Goorooyaroo Nature Reserve. However, we remain very disturbed that large scale urban development is still proposed in Gungahlin around the important Mulligan's Flat/Goorooyaroo Reserve (MF/GY) complex, the largest woodland complex of its type left in public hands in Australia.

Such development raises generic issues for protection (and hopefully rehabilitation and restoration) of remnant woodland and grassland ecosystems in close proximity to major urban development.

COG monitors birds in the key grassy woodland corridors in the ACT, including reserve and leasehold areas. An analysis of data currently in train is showing continuing declines in the resident, threatened woodland birds in the ACT (eg Hooded Robin, Brown Treecreeper), as well

as a number of birds that have been reasonably common in the ACT. In light of these trends, and given that much of the original lowland native vegetation has been lost, it has to be assumed that the remaining woodland habitats including the very large woodland reserves are proving insufficient to guarantee viable populations of some bird species.

The ACT community, because of our particular settlement history, is privileged to have a significant proportion of the remaining higher quality temperate lowland woodlands and grasslands left on the continent - the ACT community expects much of our government in ensuring the ongoing protection of these ecosystems.

Goorrooyaroo/Mulligan's Flat Woodlands Complex

COG remains opposed to residential development east of Horse Park Drive, and particularly in the "neck" area (the proposed northern Throsby enclave, west of Goorrooyaroo). The rationale for this opposition is elaborated in the attachment and below.

With land in the Molonglo Valley now available for residential development, COG does not see why the sensitive area east of Horse Park Drive needs to be developed at all.

Narrow necks of housing development that intrude into Canberra Nature Park (CNP) are ripe for increasing the introduction of weeds, rubbish, domestic animals and human-induced fire hazards into the Nature Park. Examples of degradation of CNP values in such an area can be found in relation to Sparks Close and Richter Close in Fadden (personal communication, Clive Hurlstone, National Parks Association).

COG is not convinced that the threats from bushfires have been adequately and properly assessed for the northern area of Throsby that will be surrounded (west, north and east) by dry sclerophyll forest in the adjacent nature reserves. It is COG's view that this area should more appropriately be zoned for broad acre use that would also provide a good buffer zone for the reserves.

The MF/GY NRs have recently become even more significant nationally. The Australian Research Council recently announced a major national research grant to Environment ACT and the Australian National University, under the leadership of Professor David Lindenmayer, to investigate woodland ecology and management strategies, using research sites within the GY/MF NRs.

Findings from this research will inform the management of the reserves and their interfaces, and could become models for woodland management elsewhere, especially woodlands which abut urban areas. The research involves a significant financial investment. It is COG's opinion that, at the very least, a moratorium on development in the Throsby neck should be put in place until the research is completed. It would be hoped that plans for development north of Horse Park Drive could then be informed by the results of the research.

Availability and adequacy of information

The ecological information provided to the public for comment in relation to DV231 was cursory. COG was strongly of the view that the assessment was inadequate in terms of detailed ecological information that would properly inform sound decision making on the environmental impact of the proposed suburban development, and recommended that a detailed and rigorous

environmental impact assessment (EIA) be undertaken. This recommendation was not taken up.

COG has raised the issue of inadequate ecological assessments with other major developments with likely impacts on ACT's woodlands and other ecosystems, eg East O'Malley and the Gungahlin Drive Extension (western route EIS). In particular, COG finds the avifaunal information inadequate, and in some cases wrong. We have been dismayed to find some comments published in draft reports remaining in the final version despite COG drawing the correction to the attention of the Government (see comments in attachment 1).

COG's experience in responding to PAs in the past is that systematic bird surveys on-site are not undertaken or are cursory and too short in duration, and that assessments have generally failed to adequately identify species impacted or address impacts in a whole of landscape way. Additionally, expert opinion has not always been sought in cases where particular species might be affected by a development, eg birds of prey, threatened species.

In view of the significant list of declining and threatened birds inhabiting woodland ecosystems, COG recommends that systematic bird surveys be undertaken in all areas identified for major developments as part of an adequate information base for environmental assessments. These surveys should be done according to a scientifically rigorous methodology, should be repeated, and be undertaken over a reasonable period to assess the species present and breeding. For example, as a general minimum, surveys need to be undertaken 3-4 times during a spring/summer breeding period, and/or at least one survey should be done in each of the four seasons over a period of one year.

COG maintains a comprehensive database of bird observations in many areas of the ACT, with records covering over 20 years, and is in a position to provide data by way of indicative bird lists. In particular, COG is amassing a large data set of systematically-collected avifauna records across different ACT land tenures in woodlands, which will be very useful in informing future development proposals. This data is provided to Environment ACT under an MOU with COG, however, much more use should be made of these data sets at an early stage of planning.

It is likely that other faunal groups will be suffering a similar paucity of data collection, and while we recognise that this will only be addressed with ongoing funding – and time – we cannot overemphasise the need to continue to systematically monitor floral and faunal values in ACT woodland areas, and to insist on adequate hard data collection to inform PAs and EISs.

In respect of rural leasehold properties, COG has little information on environmental protection or remediation works that have been required to be carried out as part of the contracts under which many leaseholders gained long term lease extensions.

Many of the most intact woodland areas in the ACT occur on rural leaseholds – for the most part because broadscale landclearing over the last hundred years was at a much lower level in the ACT than in surrounding NSW rural areas. It would be very useful to have more information on rural land management practices when evaluating avifauna distribution and abundance, and for example, when assessing proposals involving resumption of existing leases, such as will occur in some new suburban development and potentially with the proposal to construct a dam in the Gudgenby Valley.

This information on rural land management practices could also inform the Australian Research Council/Environment ACT/ANU funded woodland research projects in the GY/MF nature

reserves, as mentioned above, which will evaluate various treatments on woodland fauna abundance, such as provision of fallen timber.

COG recommends more public transparency with these conservation provisions on rural lands.

Policies and programs for promoting urban wildlife

One of the main factors important in promoting urban wildlife is the connectivity of wildlife habitat and ecological process flows (flows of energy, water, nutrients, etc) through the landscape (including the urban landscape). Long term maintenance of biodiversity, and thus the health of populations of plants and animals, requires access to different gene pools for breeding purposes through contiguous (connected) habitat. In fragmented habitats this is often through vegetation corridors.

The ACT has a number of important vegetation corridors, such as the major corridor from the northern ACT through Hall and Kinleyside, Mulligan's Flat and Goorrooyaroo Nature Reserves, Mt Majura/Mt Ainslie woodland complex, Majura Field Firing Range through Newline Quarry woodlands east of the Airport to the Molonglo River. There are other major corridors following, one, the Murrumbidgee river, through west Belconnen and south through the Bullen Range to Tidbinbilla and Namadgi reserves; and two, Stirling Park, Red Hill, Issacs Ridge, Mugga, Callum Brae and hence south to Wanniasa Hills, Tuggeranong Hill and the Rob Roy Range. These are identified in the ACT Lowland Woodland Conservation Strategy (Action Plan 27).

Protection and augmentation of these corridors is vital, and they should not be nibbled away by urban encroachment. This is particularly important in Gungahlin where the largest and most important woodland corridor for birds exists. There is still an opportunity to limit urban development in Gungahlin to ensure this woodland corridor remains a viable habitat for small residual populations of threatened and declining birds, eg Kinleyside, parts of Jacka, and other areas of northern Gungahlin.

David Freudenberger (1999) from the CSIRO has conducted research into revegetation guidelines for the ACT and surrounding rural areas. His findings looked specifically at the effects on particular bird species of degree of habitat fragmentation, habitat structure and connectivity. Freudenberger demonstrated that many bird species, particularly sensitive species such as the Hooded Robin, require vegetation patches that are at least 10 ha in size, and with about a 20% shrub cover. Many birds also required connectivity between habitat remnants, with species dropping out when remnants were more than 1000m from other remnants. Woodland remnant loss and/or degradation in an already fragmented landscape have huge ramifications for many bird species.

In addition to protection of woodland remnants, every attempt should be made to protect and promote native trees, particularly those indigenous to the ACT, within the urban fabric. These trees have important roles as "stepping stones" for birds and insects, contributing to habitat connectivity (see Gibbons & Boak for an analysis of the utility of isolated paddock trees in an agricultural landscape; many of the biodiversity protection services performed by trees in this landscape also hold true for native trees in the urban fabric).

As well, COG recommends that wherever possible, street and other plantings on public land within the urban area undertaken by the ACT Government, or with ACT Government funding,

be of native plant species, unless there is a very good reason otherwise. Local provenance should be used wherever possible.

Augmentation or rehabilitation of degraded woodland remnants should also include attention to native understorey plantings as well as trees.

Education campaigns on the value of woodlands and woodland fauna and flora will also be very useful, including interpretive signage in nature reserves, and ranger-guided activities.

Transboundary issues

The GY/MF woodland complex has immense importance regionally, and indeed nationally.

COG is supportive of the work of Environment ACT to either acquire from the NSW Government or, if this is not possible, to seek to manage in sympathy with conservation objectives, an area of substantially unmodified land in NSW that abuts the narrow “neck” area of Goorooyaroo NR. If acquired, this land should be incorporated into Goorooyaroo NR.

In all relevant cases, COG recommends a regional approach be taken to conservation management where conservation values cross state/territory legal boundaries. Much valuable work has been undertaken by the NSW NPWS in providing the ecological information needed as a basis for holistic planning (see Fallding, 2002). COG recommends this report.

Inter-relationships with planning legislation

There is currently no legislative protection in the ACT for native vegetation, or bird habitat. While some vegetation communities, eg Lowland Grassy Woodland, are listed as endangered and have Action Plans for their conservation and management, this does not guarantee protection of all areas of the threatened woodlands from clearance for development, even the highest quality parcels of land. Similarly, nature reserves and nature parks have no guaranteed protection and vegetation can be cleared for large-scale infrastructure development, as has occurred with the Gungahlin Drive Extension.

In the absence of specific legislation in the ACT to protect native vegetation, COG would like to see, within the planning system or as appropriate in the Territory Plan, permanent protection of certain areas such as Canberra Nature Park, nature reserves and national parks; mandatory requirements for environmental impact assessments/statements (EIS); and independent panel review of assessments, at arms length from government and removed from Ministerial discretion. COG believes that EISs should be undertaken according to best practice standards, and that such standards should be codified in regulations or other guidelines. There is an opportunity to do this with the current review of planning legislation and COG will be providing separate comments to that review.

Planning needs to take a whole of landscape (or holistic) approach to ensure that biodiversity protection is integrated into land use planning. The current system, which deals with parcels of land, piece by piece, does not take proper account of the impacts on small populations of birds (and biodiversity generally). The cumulative effects of loss or fragmentation of remaining native vegetation, particularly in the context of impacts on the ACT’s key woodland (and biodiversity) corridors, also needs to be assessed.

COG's view is that an independent panel, such as the ACT Flora and Fauna Committee, should review and provide advice and recommendations on all flora and fauna studies undertaken through EISs.

Domestic pet policy

COG wholeheartedly supports the cat containment provisions for Forde and Bonner. In fact, COG believes that domestic cats should be banned completely from suburbs abutting sensitive nature reserves, as this as this option affords the highest level of protection to ground dwelling birds and other wildlife and is simple and cost efficient to administer. However, COG is willing to support the general principle of cat containment measures, even though we believe it will be less successful than a cat ban for mitigating domestic cat impact.

COG would like to see these provisions rolled out to all other Canberra suburbs established in future that abut nature reserves or Canberra Nature Park lands, and particularly for Throsby and Kenny.

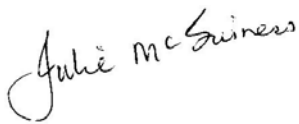
COG strongly recommends adequate funding be provided on an ongoing basis for community education associated with cat containment (and the faunal values of the ACT's woodlands and grasslands), and the special responsibilities that individuals and families have when establishing a home in a suburb abutting a reserve. Public education on these issues at the level of the whole ACT community would also be very helpful, but at a less targeted and lower funding level.

COG recommends adequate monitoring of the GY/MF reserves as to the adequacy of the cat containment measures.

COG also recommends that signs reminding dog owners to walk dogs on leads be erected near wetlands where waterbirds roost or breed.

Bushfire Risk Abatement

COG believes that bushfire abatement and burning zones to protect housing, should be entirely outside reserves boundaries, not be a part of them, and that reserve managers should not have to assume a disproportionate responsibility for bushfire amelioration along the interface zone.



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References:

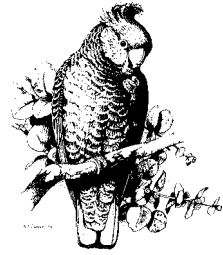
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Gibbons P and Boak M, 2000, The value of paddock trees for regional conservation in an agricultural landscape, NSW National Parks and Wildlife Service, Queanbeyan, unpublished.

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31 August 2004

Manager,
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Dear Sir/Madam,

Submission to the East Gungahlin Preliminary Assessment: suburbs of Kenny and Throsby, Goorooyaroo Nature Reserve and associated Draft Variation to the Territory Plan No 231.

The Canberra Ornithologist's Group welcomes the opportunity to comment on the East Gungahlin Preliminary Assessment and the Draft Variation.

General Comments

COG enthusiastically supports the establishment of Goorooyaroo Nature Reserve (NR), including the area of secondary grassland proposed to be included in the reserve. However, we remain very disturbed that large scale urban development is still proposed in Gungahlin around the important Mulligan's Flat/Goorooyaroo Reserve complex, the largest woodland complex of its type left in public hands in Australia.

This woodland complex has immense importance regionally, and indeed nationally, and the proposed development deserves a much more rigorous and detailed assessment than the cursory treatment of its ecological values that it has received in this document.

COG is strongly of the view that this assessment is inadequate in terms of detailed ecological information that would properly inform sound decision making on the environmental impact of the proposed suburban development, and recommends that a detailed and rigorous environmental impact assessment, (EIA) be required and undertaken. COG believes that the conservation values and issues relating to the adjacent reserves are so important that this development requires the highest level of environmental assessment under current planning laws, before planning for development proceeds any further.

The draft variation is not supported by COG in so far as it reflects poor boundary delineation for Gorrooyaroo Nature Reserve in respect of a number of factors that will be outlined below.

Impact of development on lowland woodland values

The proposed urban development will result in the destruction of significant woodland elements, eg isolated trees, which have great value as components of the larger woodland complex. Although these areas may have been assessed as of lower conservation value, they have value as nuclei for future restoration activities. One particular area assessed as being of lower conservation value is known habitat for the threatened Brown Treecreeper.

In addition, COG remains sceptical of the unproved assertion that the significant ecological values of isolated mature trees can be protected within the urban fabric in the long term.

Impacts of large urban area on sensitive nature reserves

COG has serious concerns about the impacts from a large urban development abutting the boundaries of a sensitive woodland complex/nature reserves, against a background of declining woodland birds both in these reserves as well as regionally. The impact of close human presence is likely to have serious detrimental effects on the birds and other biodiversity in these reserves.

The PA has taken a “broad brush” approach to assessing biodiversity impacts, without much detail, for example, on particularly bird sensitive areas. COG recommends that bird surveys be undertaken in each season to provide comprehensive data for further environmental assessment.

The future viability of these reserves as a sustainable habitat for woodland birds, including listed threatened species, is at stake unless there are adequate measures in place, including buffer areas from urban influences and appropriate management regimes:

- COG recommends that no housing development occur east of Horse Park Drive and that alternative land use options are investigated for those areas, for example horse paddocks, leasehold grazing, playing fields, urban recreation areas could be considered;
- COG continues to maintain (as in the responses to the North Gungahlin Structure Plan) that Throsby should not be developed at all in the northern narrow neck area between the reserves because of bushfire related issues and impacts on the adjacent reserves.

(As an aside, there is an opportunity to establish the Southern Tablelands Ecosystems Park (STEP) in this area as a buffer to the reserves, which would preserve a larger area of habitat for biodiversity and lessen the impacts of urban presence. The ACT Government has given in principle support to the STEP initiative, but a site has not been seriously considered.)

- The area marked D in Map 3 (Draft variation of the Territory Plan) (east of Horse Park Drive at the southern end of Goorooyaroo NR; opposite the proposed commercial group centre), should NOT be developed at all, as it is part of a known Brown Treecreeper territory. A formal assessment of the impacts of housing on that threatened species in that territory must be made.

Bird Related Data - p34 in PA and similar text in Draft Variation

The information on threatened birds is incomplete, without detail and not up to date.

This is very disappointing, and yet another example of a PA with inadequate information on birds. COG has already made this point in several submissions on development issues, eg Non-Urban Land Study. COG is of the view that this is a significant deficiency with most PAs – and a problem that must be addressed.

Reliance seems to have been made on a four year old pamphlet about Mulligan's Flat birds, the data on which the pamphlet is based is more than 5 years old. No effort appears to have been made to obtain up to date bird survey information from the records of COG, which regularly surveys birds in the reserves.

It is also of concern to COG that the Conservator of Flora and Fauna has not commented on these deficiencies or insisted on the information being updated.

For example:

- there is no information on the White-winged Triller (a listed threatened species) which occurs in Mulligan's Flat and Goorooyaroo reserves in small numbers in the spring/summer breeding season;
- information on the Brown Treecreeper is completely out of date; this species is now extremely rare in the reserves, having declined significantly in the last five years. In fact, it is thought there is only one bird remaining in the whole woodland complex, in a degraded area at the southern end of Gooroo, whose territory includes an area of land outside the reserve and proposed for housing (see comment above);
- Painted Honeyeaters were recorded in Mulligan's Flat Reserve in the spring of 2002, close to the reserve boundary with the proposed suburb of Throsby; these birds utilised trees outside the reserve for feeding which are in the proposed for urban development; there has been no assessment of this impact.

The information about the preferred River Oak habitat mentioned in the PA is based on out of date information and a few records from more than 50 years ago, and gives a misleading view of the habitat preferences of this species. COG has made this particular point in prior submissions to Government - and it appears these comments have either not been read or taken notice of.

COG has more recent records of Painted Honeyeaters in ACT woodland types similar to that found in Mulligan's Flat/Goorrooyaroo, especially woodland with abundant mistletoe.

Interface Issues and Bushfire abatement/burning zones

1. Domestic Cat Management

COG strongly supports cat containment measures for the future suburbs of Kenny and Throsby that will abut the nature reserves (PA p7).

COG believes that domestic cats should be banned completely from suburbs abutting sensitive nature reserves, as this option affords the highest level of protection to sensitive birds and other wildlife and is simple and cost efficient to administer. However, COG is willing to support the general principle of cat containment measures as canvassed in the documents, even though we believe it will be less successful than a cat ban for mitigating domestic cat impact.

2. Edge Effects

COG considers the boundary of Goorooyaroo Nature Reserve is unnecessarily long which will result in significant edge effects, including increased predation, that are likely lower the capacity of the Reserve to protect sensitive fauna into the long term.

The Reserve boundaries of both Mulligan's Flat and Goorooyaroo would be greatly improved by withdrawal of development plans for the "neck" area between the Reserves, as well as the area proposed for development directly east of the town centre that severely constrains the lower end of Goorooyaroo (and that will also destroy Sullivan's Creek catchment creeklines in that area).

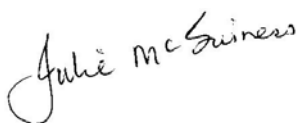
3. Bushfire Risk Abatement

COG believes that bushfire abatement and burning zones to protect housing, should be entirely outside the reserves, not be a part of them. The proposal for 9 metres of cleared area inside the reserves' boundaries is not supported. (3.2 in Appendix 2: Bushfire Risk analysis).

In the case of an area adjacent to southern Goorooyaroo, a cleared zone of 9 metres inside the reserve would destroy a substantial part of a Brown Treecreeper habitat in that reserve, as well as its habitat outside the reserve. This area is of special interest and concern to COG as it appears to be the territory for possibly the only Brown Treecreeper remaining in the whole of the reserves complex. There has been no proper assessment of the impacts of proposed clearance of habitat on that threatened species in that area (see comments above).

In the case of the narrow neck area between the reserves the proposed development boundaries appear to defy the information found in the bushfire assessment (Appendix B). This "northern enclave A" has assessed bushfire risk that cannot be mitigated to an acceptable risk level, as it is recognised that the "risk of ignition and spread into the urban area" cannot be reduced by management (pp 16 and 18).

COG notes the general comment made in the Bushfire Risk analysis that bushfire management measures should not rest with nature reserve managers completely. However, COG believes it inevitable that with suburban development abutting the reserves, strong pressures will occur on Environment ACT to minimise bushfire risk within the reserves, with likely detrimental outcomes for biodiversity conservation. The only way to mitigate bushfire risk is to increase the distance between the reserve boundaries and the edge of the suburban development. We feel that this is another reason to oppose suburban development east of Horse Park Drive.



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