

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**ACT GOVERNMENT RESPONSE TO ASSEMBLY RESOLUTION OF
20 FEBRUARY 2020 on YELLOW BOX WOODLAND ECOSYSTEMS -
PROTECTION**

AUGUST 2020

Mr Mick Gentleman MLA
Minister for Planning and Land Management

On 20 February 2020 the Legislative Assembly passed a resolution regarding the protection of Yellow Box woodland ecosystems in the ACT, with particular reference to land in North Watson.

The resolution noted a number of matters at Point 1:

- a) That Yellow Box-Blakeley's Red Gum Grassy Woodland (Yellow Box Woodland) is endangered in the ACT;
- b) That unleased Territory Land east of Antill Street, North Watson contains significant Yellow Box Woodland conservation values and listed fauna;
- c) That the land is currently zoned Commercial CZ6 Leisure and Accommodation, which allows for dense residential development (it should be noted that this is not correct, that residential use is prohibited in this zone and can only occur if identified in a precinct code, which is not the case here);
- d) That preserving land from development would protect the endangered flora and provide a buffer between the Mount Majura nature reserve and urban development;
- e) That the conservation values of the area would be heavily impacted by Monash Drive if it were built (it should be noted that the National Capital Authority did not agree to proceed at this time with removal of Monash Drive from the National Capital Plan because it is premature to do so).

The resolution at Point 2 further calls on the Government to:

- a) *commit to preserving and protecting Yellow Box Woodland ecosystems in the ACT from damage and urban encroachment;*
- b) *investigate rezoning the unleased Territory land east of Antill Street (section 84 block 1, section 85 block 1 (part), section 86 block 1, section 87 block 1 and section 75 block 7 (part) to protect it from development and preserve it as Yellow Box Woodland; and*
- c) *report to the Assembly on the investigation into the rezoning and the status of the Yellow Box Woodland by August 2020.*

The Government's response to the matters at point two of the resolution are discussed below.

2a) Commit to preserving and protecting Yellow Box Woodland ecosystems in the ACT from damage and urban encroachment

Government Response: AGREED.

This has been achieved and is an ongoing commitment.

The conservation of woodlands in the ACT is directed by the ACT Native Woodland Conservation Strategy (2019). This document outlines the three key strategies that the ACT Government will implement to conserve woodlands:

1. Protect and Manage Woodlands and Component Species;
2. Collaborate with the Community; and
3. Monitoring and Research.

The Strategy also contains the Action Plan for the Endangered Yellow Box Blakey's Red Gum ecological community. This action plan provides a detailed description of the community, its conservation status, ecology and key threats. Primary conservation objectives and intended management actions are identified within the overarching objectives to protect, maintain, improve and collaborate.

In the ACT there is up to 21,974 hectares of potential Endangered Yellow Box Blakey's Red Gum ecological community. Of this area 30 percent is protected within nature reserves and another seven percent within other forms of reserve (such as special purpose reserves). The area of woodland protected within the reserve system continues to increase as the ACT Government implements its environmental offset policy with an additional 1,156 hectares having been added to the reserve system between 2004 and 2019.

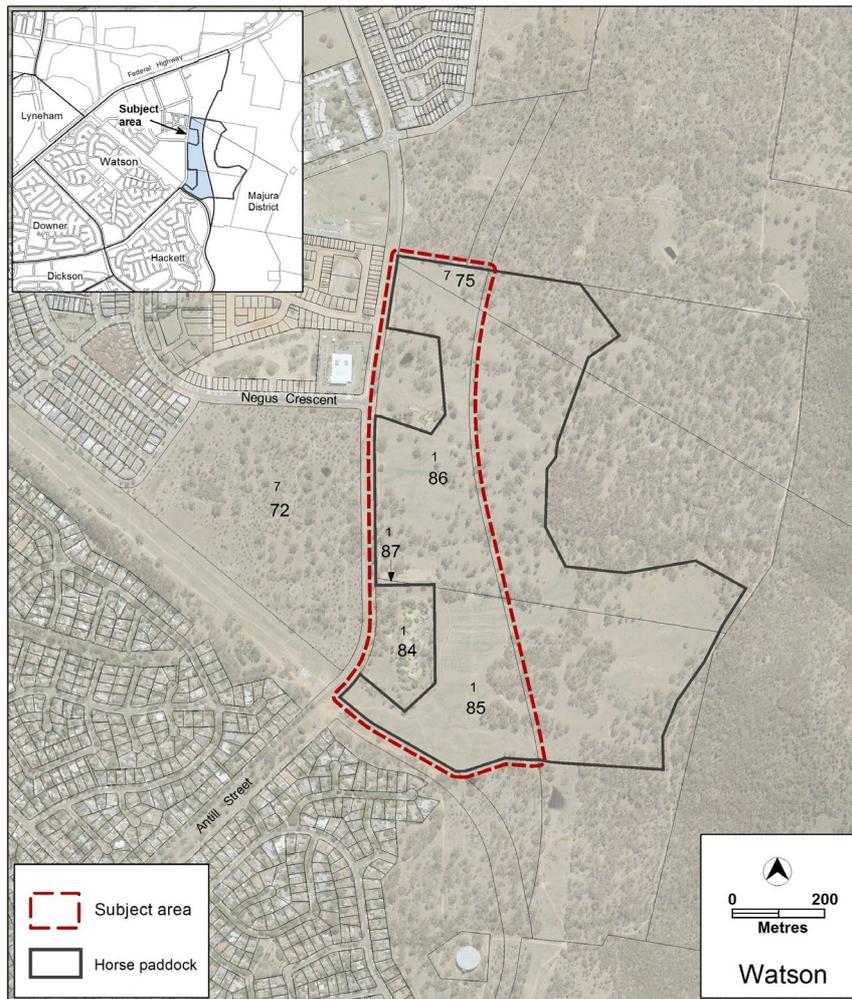
2b) Investigate rezoning the unleased Territory land east of Antill Street (section 84 block 1, section 85 block 1 (part), section 86 block 1, section 87 block 1 and section 75 block 7 (part)) to protect it from development and preserve it as Yellow Box Woodland.

Government Response: AGREED

The Environment, Planning and Sustainable Development Directorate (EPSDD) has undertaken a preliminary investigation of the site, its current values, its development constraints and an assessment against possible zones.

The site is shown at Figure 1. It is currently zoned CZ6 Leisure and Accommodation, in common with much of North Watson. It is currently used as the Watson horse paddocks with between 10-12 horses agisted. The site also contains the Ted Noffs Foundation residential treatment facility and a homestead and its curtilage.

Figure 1: Subject site



The methodology for undertaking the investigation required for the response to the Assembly was a desktop investigation and included consideration of the overarching policy and regulatory context, the environmental and ecological conditions, infrastructure, current uses and zoning as outlined below:

- consideration of the strategic planning context including the *ACT Planning Strategy 2018*
- a National Capital Plan assessment
- existing site constraints and zoning analysis (including existing infrastructure easement and bushfire risk)
- review of the 2013 ecological assessment of the site (undertaken by EPSDD Environment Division) that considered the quality and environmental values of the woodlands
- consideration of environmental offsets under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
- consideration of options for possible approaches to the protection and management of the subject land, if required.

- consideration of options for the site on the initial basis of the ecological assessment and zoning analysis

Ecologically, most of the subject area land can be classified as Yellow Box-Apple Box Tall Grassy Woodland of the South Eastern Highlands Bioregion, which is part of the ACT and Commonwealth Yellow Box – Blakely’s Red Gum critically endangered woodland community listings.

The ecological assessment indicated that the site is a key habitat area for many woodland bird species (including a number of threatened species) and many invertebrates. Several species of microbat utilise the linkage that the area provides between Mount Majura and the Watson Woodlands. Other significant species observed in this area include the Golden Sun Moth and Rosenberg’s Monitor.

The investigation considered the potential of the current CZ6 Leisure and Accommodation zoning (noting residential development is not permitted on the site), development constraints on the site (such as bushfire risk and existing infrastructure) and an analysis of the range of Territory Plan zones that may or may not be appropriate for the site. The zoning analysis noted the following:

- There is little demand for CZ6 zoned land, particularly in this location. The site has not been developed to date for uses currently permitted by the zone due to development constraints on the site.
- Other commercial zones (CZ1-CZ4) are not appropriate given the site is not located in a town, group or local centre.
- Residential zones (RZ1-RZ5) and the CZ5 Mixed Use zone would enable housing on the site however the site is not located near services and facilities, would require infrastructure augmentation, and there are other development constraints on the site.
- The community facility zone (CFZ) would enable additional community facility land in north Canberra and would be an appropriate zone for the Ted Noffs facility. However sensitive and vulnerable uses are not desirable in bushfire prone areas and there is limited accessibility due to the location of the site on the urban edge.
- The parks and recreation zones (PRZ1 and PRZ2) would provide opportunities for recreational and leisure activities however some of the uses permitted in these zones may have an adverse impact on the environmental values of the area.
- Most of the non urban zones (NUZ2, NUZ4 and NUZ5) would not be appropriate as the land is not a rural block, in a river corridor or in mountains and bushland. The NUZ1 Broadacre zone provides for uses that require a larger site, however the development constraints on the site would restrict the size of a development.

- The NUZ3 Hills Ridges and Buffer zone is the zone applied to land to the north and south of the site, as well the Watson Woodlands to the east. The land to the east is a Designated Area, administered by the National Capital Authority and is identified as a Hills, Ridges and Buffer policy area in the National Capital Plan. An objective of the NUZ3 zone is to conserve a diversity of natural habitats and wildlife corridors
- The investigation thus far indicates that the site has ecological value and there is potential for regeneration of the woodland's community. To protect the ecological value, a zone that supports environmental protection may be more appropriate.

Investigations will continue into appropriate land uses to identify a preferred zoning and management options for the site.

2c) Report to the Assembly on the investigation into the rezoning and the status of the Yellow Box Woodland by August 2020.
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Government Response: NOTED

This Government Response fulfills that commitment.