



**ACT**  
Government

**2021**

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

**GOVERNMENT RESPONSE TO THE STANDING COMMITTEE ON  
PLANNING, TRANSPORT AND CITY SERVICES REPORT 3 – Draft Land  
Management Plan for Canberra’s Urban Lakes and Ponds**

**Presented by  
Mick Gentleman MLA  
Minister for Planning and Land Management  
2 December 2021**



## Introduction

The Government thanks the Standing Committee on Planning, Transport and City Services (the Committee) for their August 2021 report on the draft Land Management Plan for Canberra Urban Lakes and Ponds and the recommendations therein.

The draft Canberra Lakes and Ponds Land Management Plan (the Plan) was prepared Environment, Planning and Sustainable Development Directorate (EPSDD), on behalf of the land custodian, Transport Canberra and City Services Directorate (TCCS).

During development of the Plan, extensive stakeholder consultation commenced on 21 February 2020, paused on 31 March 2020 due to the public health emergency, then reopened from 28 August 2020 to 11 September 2020 to complete the statutory consultation period required under the *Planning and Development Act 2007* (the Act).

Forty-one submissions were received during public consultation and consideration was given to all comments in revising the draft Plan. A Consultation Report was prepared outlining all consultation undertaken during development of the Plan, and how the comments were responded to.

The revised draft Plan and Consultation Report were referred to the Committee on 22 February 2021 by the Minister for Planning and Land Management in accordance with Section 181 of the Act.

The Committee presented its report to the Legislative Assembly on 20 August 2021. The Committee did not call for submissions or hold public hearings during the inquiry and they did not seek any further advice from Officials.

The Committee made six recommendations in the report.

## Recommendations

| No.              | Recommendations   |
|------------------|---|
| Recommendation 1 | The Committee recommends that the ACT Government propose amendments to Item 8 Schedule 3 of the Act which, if passed by the Assembly, would give high priority to 'provide a habitat for fauna and flora' and to 'prevent and control pollution of waterways' to ensure that these are actioned, resourced and prioritised in addition to stormwater drainage and flood management. |
| Recommendation 2 | The Committee recommends that once the sequence of priorities for current Item 8 in Schedule 3 of the Act has been amended, as recommended, a revised version of the Plan should be developed to reflect these statutory objectives.  |
| Recommendation 3 | The Committee recommends that the any future Plan updates include targeted stakeholder collaboration which include an objective incorporating consultation and working with local   |

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|                  | community groups such as landcare and catchment groups, who often contribute to works on the ground.   |
| Recommendation 4 | The Committee recommends that the ACT Government reconsider the Draft LMP in the context of the ACT Planning Review under way, the ACT Water Strategy, the draft reserve management plan for Canberra Nature Park, Canberra's Living Infrastructure Plan: Cooling the City and other relevant strategies and articulate the relationship between these strategies. |
| Recommendation 5 | The Committee recommends that the Plan be maintained as a living document that receives ongoing input from community and stakeholders and that can be adapted as needed to major events and policy challenges, such as those presented by climate change and the Black Summer bushfires.   |
| Recommendation 6 | The Committee Recommends that when reviewing and implementing the LMP, the ACT Government consider more regular rubbish removal, a more targeted mowing regime that protects habitat, more work on revegetation, and new structures to capture silt and organic matter.  |

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The Government has considered the Committee report comprehensively and notes two of the recommendations and does not agree to four of the recommendations, as outlined below.

# **ACT Government Response to the Standing Committee on Planning, transport and City Services Report No. 3 – Draft Land Management Plan for Canberra’s Urban Lakes and Ponds**

## **Recommendation 1**

The Committee recommends that the ACT Government propose amendments to Item 8 Schedule 3 of the *Planning and Development Act 2007* which, if passed by the Assembly, would give high priority to ‘provide a habitat for fauna and flora’ and to ‘prevent and control pollution of waterways’ to ensure that these are actioned, resourced and prioritised in addition to stormwater drainage and flood management.

## **Response**

### **NOT AGREED**

As constructed waterbodies in an urban environment, the ‘habitat value’ of the waterbodies is limited. Directing resources to managing the ‘habitat values’ of constructed lakes, ponds and wetlands in the urban environment is likely to reduce resourcing of managing natural environs.

The hierarchical structure of the management objectives provides clear guidance as to the priorities for lake, pond and wetland management. Similarly, Schedule 3 of the Act provides for ‘wilderness area’, ‘national park’, ‘nature reserve’ and ‘protection of water supply’ which prioritise ‘to conserve the natural environment’. Therefore, if the provision of habitat for fauna and flora were a strong feature of an urban waterbody, it may be more appropriately zoned into one of these public land reserves.

Further, the constructed waterbodies were installed as a means of preventing urban pollution from entering the Murrumbidgee and Molonglo Rivers. Current management assist in maintaining the ecological values of these two important river systems. An unintended consequence to adopting the change proposed by the Committee could be to alter the current balance and place life and property at risk.

## **Recommendation 2**

The Committee recommends that once the sequence of priorities for current Item 8 in Schedule 3 of the *Planning and Development Act 2007* has been amended, as recommended, a revised version of the Land Management Plan for Canberra Urban Lakes and Ponds should be developed to reflect these statutory objectives.

## **Response**

### **NOT AGREED**

This recommendation is consequential to Recommendation 1.

### **Recommendation 3**

The Committee recommends any future management plan updates include targeted stakeholder collaboration which include an objective incorporating consultation and working with local community groups such as Landcare and catchment groups, who often contribute to works on the ground.

#### **Response**

##### **NOTED**

Targeted stakeholder collaboration remains an important part of any public consultation. As stated in Chapter 5 of the draft Plan, the Plan was informed by the community values that were identified in the report *Water Quality and the Community: understanding the views, values and actions of residents of the ACT and surrounding region* that was commissioned by the ACT Government and prepared by the University of Canberra in February 2016. This report undertook an extensive assessment of community knowledge, attitudes and values in the ACT and nearby areas of NSW in regard to waterways, storm water issues and factors affecting water quality in the region.

### **Recommendation 4**

The Committee recommends that the ACT Government reconsider the Draft Land Management Plan for Canberra Urban Lakes and Ponds in the context of the ACT Planning Review under way, the ACT Water Strategy, the draft reserve management plan for Canberra Nature Park, Canberra's Living Infrastructure Plan: Cooling the City and other relevant strategies and articulate the relationship between these strategies.

#### **Response**

##### **NOTED**

Having just completed a comprehensive review of the Plan, it would seem at odds to immediately recommence a review of the Plan. Relevant policy changes that occur in the future will, of course, be included in future reviews.

### **Recommendation 5**

The Committee recommends that the Draft Land Management Plan be maintained as a living document that receives ongoing input from the community and stakeholders and that can be adapted as needed to major events and policy challenges, such as those presented by climate change and the Black Summer bushfires.

#### **Response**

##### **NOT AGREED**

The land custodian will respond to external shocks at an operational level when they occur. The current structured review process of the management plan allows for strong community engagement and responses to issues and creates an inclusive and responsive management plan. There is a risk that making the process into a 'living document', could provide an ability for ad hoc changes, without considering multiple views in a considered approach.

### **Recommendation 6**

The Committee recommends that when reviewing and implementing the Plan, the ACT Government consider more regular rubbish removal, a more targeted mowing regime that protects habitat, more work on revegetation, and new structures to capture silt and organic matter.

### **Response**

#### **NOT AGREED**

These issues have been addressed in principle in the draft Plan, but specifics of this nature are best suited in the operational plans that sit below the Plan.