

2006

**LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE STANDING COMMITTEE ON PLANNING
AND ENVIRONMENT - REPORT NO 17 -
WILDLIFE CORRIDORS AND DRAFT VARIATION TO THE TERRITORY PLAN NO
231 - EAST GUNGAHLIN SUBURBS OF KENMNY AND THROSBY AND
GOOROYARROO NATURE RESERVE**

**VARIATION NO. 231 TO THE TERRITORY PLAN - EAST GUNGAHLIN
SUBBURBS OF KENNY THROSBY PART HARRISON AND GOOROYARROO
NATURE RESERVE**

TABLING STATEMENT

**Circulated by authority of the
Minister for Planning
Mr Simon Corbell MLA**

6/6/06

Mr Speaker, today I propose to table the Government's response to the Standing Committee on Planning and Environment, Report No. 17 on Draft Variation 231 and table the Final Variation. The Variation proposes to provide a planning framework for future development of the suburbs of Kenny, Throsby and part of Harrison. It also formally establishes the 750 hectare Goorooyaroo Nature Reserve through a public land overlay.

The creation of Goorooyaroo Nature Reserve has seen the reduction of approximately 300ha of urban (residential) land. This will create a significant ecological resource for the ACT community by protecting an area over 750ha in northeast Gungahlin. This area is mainly comprised of Yellow Box/Red Gum Grassy Woodland including the existing Mulligans Flat Nature Reserve. Protecting this area from urban development will, however, come at an opportunity cost to the Territory of approximately \$300M in future revenue.

The Variation was released for public comment on 23 July 2004. It attracted four written comments at close of public consultation on 3 September 2004. A number of minor revisions were made to the Variation as a result of the consultation process.

A Preliminary Assessment (PA) also supported the Draft Variation. The evaluation of the PA concluded that the PA has adequately

addressed the potential impacts on the environment and as such no further environmental impact assessment was required.

In its Report No. 17 of November 2005 the Standing Committee on Planning and Environment recommended that the Variation proceed subject to 11 recommendations.

I wish to outline the Government's response to the Committee's Report.

The Committee's second recommendation was that the boundaries of Throsby be reviewed to reduce the impact of residential development on Gorooyarroo and Mulligans Flat Nature Reserves.

The boundaries of the Nature Reserves were established following extensive consultation between the Authority and Environment ACT. The boundaries reflect the ecological values of the area based on the ACT Lowland Conservation Woodland Strategy (Action Plan 27) and the land management requirements of Canberra Nature Park.

As Throsby is not scheduled to be developed until at least 2016, it is not necessary to review the boundaries at this time. The final variation has, however, been amended to include a specific policy that requires additional studies to be undertaken closer to land release to confirm boundaries.

The Committee's third recommendation was that earlier programming of new suburbs for Molonglo Valley be considered.

The option of earlier programming for the new suburbs of Molonglo is already being explored following the completion of a range of studies over the past 12 months to establish the capability of this area to be developed. It will, however, still require an amendment to the National Capital Plan, a Variation to the Territory Plan and an environmental impact assessment.

Programming will also need to consider sequencing requirements, infrastructure provision and capital works.

The Committee's fourth recommendation was that the ACT Government explore the option of maintaining the 25ha of Yellow Box – Red Gum and Red Stringybark woodland in NSW adjacent to Goorooyarroo Nature Reserve.

The Government supports this and the ACT Planning and Land Authority and Environment ACT are consulting with the Commonwealth (as land owner) regarding the potential of securing the 25ha Woodland for conservation management purposes.

The Authority supports the Committee's fifth recommendation for future draft Variation documentation including information on ecological connectivity and regional targets for protection of species, where appropriate.

The Committee's sixth recommendation for cat containment to be mandatory in the new suburbs of Kenny and Throsby will be investigated further as part of the detailed planning for the suburbs.

Any future extension of cat containment in Throsby will require further amendments to the *Domestic Animal Services Act 2003*.

The seventh recommendation was that current policy documents on environmental management be better streamlined and integrated into planning and environment legislation.

Planning Legislation requires that statutory policy documents, including Action Plans for the protection of endangered ecological communities and species be taken into consideration.

The Government's Planning System Reform project will also give further statutory recognition and clarification to impact assessment processes undertaken at the structure planning stage.

The eighth recommendation was that the ACT should introduce a State of the Parks reporting system to identify management effectiveness and progress towards achieving protected area objectives. This recommendation is outside the scope of the Variation process, however, it should be noted that the Territory's State of the Environment Report already addresses nature conservation and biodiversity.

The ninth recommendation was for committees involved in natural resource management on a local and regional scale to be reviewed and better integrated as a flow on reform from the Regional Management Framework.

Environment ACT advises that these committees are being reviewed and a proposal will be put to the Government in the near future. A Memorandum of Understanding has been developed with the Murrumbidgee Catchment Authority addressing co-operative cross border natural resource management in the region. This again is not within the scope of this Variation.

The Committee in its tenth recommendation advises that remnant vegetation with high conservation value on rural leases be better managed as wildlife corridors in land management agreements. This can form the basis for funding applications under the Commonwealth's Natural Heritage Trust and National Action Plan for Salinity and Water Quality.

The ACT Landkeepers Program funded by the ACT Government and the Natural Heritage Trust and delivered by Greening Australia, gives priority to projects that reinforce the connectivity of wildlife corridors and native vegetation. Management of high conservation areas on rural leases are already addressed through land management agreements. This is also outside the scope of this Variation.

The Committee's final recommendation was that the Shaping Our Territory Working Group assess the feasibility of incorporating key elements of the Southern Tablelands Ecosystem Park proposal in the Canberra International Arboretum and Gardens.

Representatives of the Shaping Our Territory Implementation Group have since met with representatives of the Southern Tablelands Ecosystem Park initiative to explore the Ecosystem Park proposal and its suitability for the Canberra International Arboretum and Gardens site. It needs to be noted, however, that such an approach is not within the scope of this Variation.

The recommended final Variation was revised to permit the establishment of the new Youth Detention Centre to the south west of the suburb of Kenny. This has been achieved by revising the boundary between Residential and Broadacre land use policies. The proposal for a correctional facility triggered a mandatory PA. The Authority has evaluated the PA and concluded that no further impact assessment is required. The PA will not be effective until the Variation is finalised.

Mr Speaker, I now table the Government's response to the Committee's Report. I will also table the Final Variation to the Territory Plan number 231 shortly.

2006

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

GOVERNMENT RESPONSE TO THE STANDING COMMITTEE ON
PLANNING AND ENVIRONMENT - REPORT NO 17

WILDLIFE CORRIDORS AND DRAFT VARIATION TO THE TERRITORY
PLAN NO 231 – EAST GUNGAHLIN SUBURBS OF KENMNY AND
THROSBY AND GOOROOPYARROO NATURE RESERVE

Circulated by the authority of
Minister for Planning
Mr Simon Corbell MLA

Recommendation 1:

The Committee recommends that the proposed variation to the Territory Plan (DV231) proceed, subject to the relevant recommendations below.

Response: Noted.

Recommendation 2:

The Committee recommends that the ACT Planning and Land Authority review boundaries of the suburb of Throsby and re-draw them back towards Horse Park Drive so as to reduce the impact of residential development on Gorooyarroo and Mulligans Flat Nature Reserves.

Response: Not Agreed. The boundaries of the Gorooyarroo Nature Reserve were established following consultation between the Authority and Environment ACT, particularly the Wildlife Research and Monitoring Unit and the Parks and Conservation Service (as the land manager). The boundaries of the reserve reflect the ecological values of the area based on the recommendations of the ACT Lowland Conservation Woodland Strategy (Action Plan 27) and the land management requirements (including fencing, fire management etc) of Canberra Nature Park and the additions thereto.

The suburb of Throsby (adjacent to Gorooyarroo and Mulligans Flat Nature Reserves) is not scheduled for development / release until 2016 under the approved Metropolitan Development Sequence for Gungahlin. As such, it is not considered necessary to review the boundaries at this time. However to address the Committee's recommendation, the Recommended Final Variation has been amended to include a specific policy that requires additional studies to be undertaken as part of the detailed planning for the northern part of Throsby, prior to land release, to confirm/refine land uses for this area. The Final Variation proposes to apply a Defined Land provision for the urban area. As such, the land uses for the suburb can be reviewed and amended through future detailed planning consistent with the established principles and

policies of the Defined Land provision without the need for a further variation to the Territory Plan.

In addition, the Australian Research Council has recently provided an \$807,000 grant for research into the recovery of threatened species in ACT Woodlands. The project, which will involve researchers from the Australian National University and Environment ACT, is expected to provide a substantial contribution to realising one of the major aims of the ACT Government's Lowland Woodland Conservation Strategy, supporting research for the next five years and giving managers of the ACT's woodland nature reserves the best available scientific knowledge regarding the recovery of threatened woodland plants and animals. The study will focus on the Gorooyaroo Nature Reserve and its results will enable future evaluation of the issues raised by the Committee, including whether it is appropriate to revise the land use policy for the identified areas adjoining the Gorooyaroo Nature Reserve and Throsby.

It should also be noted that the creation of the Gorooyaroo Nature Reserve has seen the reduction of approximately 300ha of urban (residential) land. This area equates to a loss of approximately \$300M in future revenue to the Territory.

Recommendation 3:

The Committee recommends that earlier programming of new suburbs in Molonglo should be encouraged.

Response: Agreed in Part. Planning for the new suburbs of Molonglo is progressing as quickly as statutory planning processes allow. The option of earlier release of the new suburbs will be considered further following the completion of the current Structure Planning process. The process includes an environmental impact assessment, a Variation to the Territory Plan and Amendment to the National Capital Plan. The current planning is also addressing development sequencing, infrastructure requirements and provision, capital works and environment protection measures. The Variation

to the Territory Plan and Amendment to the National Capital Plan need to be approved before development in the Molonglo Valley progresses.

Recommendation 4:

The Committee recommends that the ACT Government explore the opportunity of maintaining the 25Ha of Yellow Box and Red Gum and Red Stringybark woodland adjacent to Goorooyaroo Nature Reserve with a view to the provision of assistance to conservation groups to manage this area.

Response: Agreed. Environment ACT, with the support of ACT Planning and Land Authority, is consulting with the Commonwealth regarding the possibility of securing conservation management over 25Ha of Yellow Box/Red Gum Woodland located in NSW, but adjacent to Goorooyaroo Nature Reserve.

Recommendation 5:

The Committee recommends that for all future draft variations that concern the expansion of residential areas, or impact on Canberra Nature Park, maps and data that demonstrate how the proposed variation will contribute to ecological connectivity and regional targets for protection of species should be included in the public documentation produced by the ACT Planning and Land Authority.

Response: Agreed. This is supported and can be accommodated within the explanatory statement of future draft Variations, where appropriate.

Recommendation 6:

The Committee recommended that cat containment be mandatory in the proposed new suburbs of Kenny and Throsby.

Response: Noted. It is anticipated that similar cat containment measures as for Forde and Bonner, may need to apply in Throsby and possibly Kenny.

This issue will be considered further as part of the future Concept Planning Stage for the suburbs.

Recommendation 7:

The Committee recommended that current policy documents on environmental management, including biodiversity conservation, be reviewed, integrated and streamlined, and better integrated with environment protection and planning legislation.

Response: Noted. Planning legislation already requires that statutory policy documents, including Action Plans for the protection of endangered ecological communities and species, be taken into consideration. The Planning System Reform will also statutorily recognise strategic environmental assessments that occur at the structure planning stage. This is not a matter for this variation to address.

Recommendation 8:

The Committee recommends that the ACT Government introduce a reporting system, such as State of the Parks report, which identifies programs to monitor management effectiveness and progress towards achieving protected area objectives.

Response: Noted. The State of the Environment Report addresses nature conservation and biodiversity, but this is not a matter for this variation to address.

Recommendation 9:

The Committee recommends that the proposed Regional Management Framework will provide for biodiversity conservation and recognise wildlife corridors. The Committee recommends that as a flow-on reform, the advisory, program delivery and consultative committees involved in natural resource management on a local and regional scale be reviewed and better integrated.

Response: Noted. Environment ACT advises that the Committees are being reviewed and a proposal will be put to Government in the near future. In addition, a Memorandum of Understanding has been developed with the Murrumbidgee Catchment Authority addressing co-operative cross border natural resource management in the region. Again, this is not a matter for this variation to address.

Recommendation 10:

The Committee recommends that remnant vegetation with high conservation value on rural leases be better managed as wildlife corridors under land management agreements with these to be the basis for funding applications under the Natural Heritage Trust and National Action Plan for Salinity and Water Quality.

Response: Noted. The ACT Landkeepers Program funded from the ACT Government and the Natural Heritage Trust and delivered by Greening Australia, gives priority to on-ground projects that reinforce the connectivity of wildlife corridors and native vegetation. Management of high conservation value vegetation is already addressed in Land Management Agreements. Again, this is not a matter for this variation to address.

Recommendation 11:

The Committee recommended that the Chief Minister request the Shaping Our Territory Working Group to assess the feasibility of incorporating key elements of the Southern Tablelands Ecosystem Park proposal in the Canberra International Arboretum and Gardens.

Response: Noted. Representatives of the Shaping Our Territory Implementation Group met with representatives of Southern Tablelands Ecosystem Park (STEP) initiative on 1 December 2005 to explore the STEP proposal and its suitability for the Canberra International Arboretum and Gardens (CIAG) site. Matters explored included requirements for integration

of the STEP proposal with the broader CIAG goals of 100 different conservation forests, and the funding arrangements. Again, this is not a matter for this variation to address.