# Draft variation No. 360 – Molonglo River Reserve: changes to public land reserve overlay boundaries and minor zone adjustment

Standing Committee on Planning and Urban Renewal

September 2019

Report 9

## The Committee

### Committee Membership

* Ms Caroline Le Couteur MLA Chair
* Ms Suzanne Orr MLA (until 23 August 2019) Deputy Chair (until 23 August 2019)
* Mr Mark Parton MLA Deputy Chair (from 28 August 2019)
* Mr Michael Pettersson MLA (from 24 August 2019)

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### Resolution of appointment

On 13 December 2016 the Legislative Assembly for the ACT, when it created Standing Committees for the Ninth Assembly, resolved at Part 1(f) of the Resolution that there would be a:

Standing Committee on Planning and Urban Renewal to examine matters relating to planning, land management, the planning process, amendments to the Territory Plan, consultation requirements, design and sustainability outcomes including energy performance and policy matters to support a range of housing options.[[1]](#footnote-1)

On the same day, the Legislative Assembly also resolved at Part 3 of the Resolution that:

If the Assembly is not sitting when the Standing Committee on Planning and Urban Renewal has completed consideration of a report on draft plan variations referred pursuant to section 73 of the Planning and Development Act 2007 or draft plans of management referred pursuant to section 326 of the Planning and Development Act 2007 the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.[[2]](#footnote-2)

### Terms of reference

In relation to a draft plan variation to the Territory Plan, section 73 (2) of the Planning and Development Act 2007 states:

The Minister may, not later than 20 working days after the day the Minister receives the draft plan variation, refer the draft plan variation documents to an appropriate Committee of the Legislative Assembly together with a request that the Committee report on the draft plan variation to the Legislative Assembly.

The Minister for Planning, Mr Mick Gentleman MLA, referred *Draft variation 360: Molonglo River Reserve – Changes to public land reserve overlay boundaries and a minor zone adjustment* to the Standing Committee on Planning and Urban Renewal on 22 March 2019.

## Acronyms

|  |  |
| --- | --- |
| ACT | Australian Capital Territory |
| EPBC Act | *Environment Protection and Biodiversity Conservation Act 1999* |
| DV | Draft Variation to the Territory Plan |
| EDP | Estate Development Plan |
| EPSDD | Environment, Planning and Sustainable Directorate |
| ESA | Emergency Services Agency |
| MNES | Matters of National Environmental Significance |
| NES Plan | *The Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* |
| NUZ2 | Rural Zone |
| NUZ3 | Hills, Ridges and Buffer Areas Zone |
| NUZ4 | River Corridor Zone |
| NUZ5 | Mountains and Bushland |
| PTWL | Pink-Tailed Worm-Lizard |
| SBMP | Strategic Bushfire Management Plan |

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## Recommendations

[Recommendation 1](#_Toc19099716)

[3.21 The Committee recommends that, subject to the following recommendations, Draft Variation 360 Molonglo River Reserve: Changes to public land reserve overlay boundaries be approved.](#_Toc19099717)

[Recommendation 2](#_Toc19099718)

[6.45 The Committee recommends that the Coombs Peninsula be considered for environmental and recreational purposes.](#_Toc19099719)

[Recommendation 3](#_Toc19099720)

[6.46 The Committee recommends that the Coombs Peninsula is withdrawn from the land release program while this consideration is completed.](#_Toc19099721)

[Recommendation 4](#_Toc19099722)

[6.47 The Committee recommends that Variation 360 rezones the bulk of the Coombs Peninsula to NUZ3 Hills, Ridges and Buffer Zone and the Future Urban Area Overlay is removed from the rezoned area.](#_Toc19099723)

## 

## Introduction

### Conduct of the Inquiry

* 1. On 22 March 2019 pursuant to section 73 of the *Planning and Development Act 2007* (the Act), the Minister for Planning and Land Management, Mr Mick Gentleman MLA, referred *Draft variation 360: Molonglo River Reserve – Changes to public land reserve overlay boundaries and a minor zone adjustment* to the Planning an Urban Renewal (the Committee) for consideration and report to the Legislative Assembly (the Assembly).
  2. The Committee circulated a media release announcing the inquiry on 17 April 2019 as well directly emailing those who had provided submissions to the public consultation process and others who may be affected by the draft variation. The Committee received three submissions and a list of these is provided at Appendix B.
  3. The Committee held one public hearing and heard from seven witnesses. A list of witnesses who appeared before the Committee is provided at Appendix A. The transcripts of proceedings are accessible at: <http://www.hansard.act.gov.au/hansard/2017/comms/planning17a.pdf> .

### Acknowledgements

* 1. The Committee would like to thank the Minister for Planning and Land Management and officials from the Environment, Planning and Sustainable Development Directorate (the Directorate) for their time appearing before the Committee and responding to its questions.
  2. The Committee would like to extend its thanks to those who took the time to make written submissions and to those witnesses who appeared before the Committee.

## Planning in the Australian Capital Territory

Introduction

* 1. This chapter outlines the planning framework in the Australian Capital Territory (ACT) and briefly outlines the evolution of the Territory Plan from its inception, through a series of reviews and restructures.
  2. The *Australian Capital Territory (Planning and Land Management) Act 1988* (Cth) sets out the overarching legal framework for the planning of, and management of the land in, the Australian Capital Territory.[[3]](#footnote-3) It establishes the National Capital Authority, one of the functions of which is to prepare and administer a National Capital Plan.[[4]](#footnote-4) The objective of the National Capital Plan is to ensure that Canberra and the Territory are planned and developed in accordance with their national significance.[[5]](#footnote-5)
  3. The *Australian Capital Territory (Planning and Land Management) Act 1988* also provided for the ACT Legislative Assembly to make laws to establish a Territory planning authority, and to confer on that authority the function of preparing and administering a Territory Plan.[[6]](#footnote-6) These requirements were incorporated into the *Interim Planning Act 1990* (ACT)[[7]](#footnote-7) and subsequently, with expanded environmental assessment and heritage provisions, into *the Land (Planning and Environment) Act 1991* (ACT).[[8]](#footnote-8)
  4. In 2008, as part of the reform of the ACT planning system, the *Land (Planning and Environment) Act 1991* was replaced by the *Planning and Development Act 2007* (the Act)[[9]](#footnote-9), which includes the provision for the Planning and Land Authority,[[10]](#footnote-10) and the Territory Plan.[[11]](#footnote-11)
  5. The Territory Plan commenced operation on 31 March 2008 and provides the policy framework for the administration of planning in the ACT:

The object of the territory plan is to ensure, in a manner not inconsistent with the national capital plan, the planning and development of the ACT provide the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation.[[12]](#footnote-12)

* 1. Under section 50 of the Act, the:

Territory, the Executive, a Minister or a territory authority must not do any act, or approve the doing of an act, that is inconsistent with the territory plan.[[13]](#footnote-13)

* 1. The Act requires the Territory Plan to set out the planning principles and policies for effecting its objective in a way that gives effect to sustainability principles, including policies that contribute to achieving a healthy environment in the ACT.[[14]](#footnote-14)
  2. The Territory Plan includes:
     + a statement of strategic directions;
     + a map;
     + objectives and development tables applying to each zone;
     + a series of general, development and precinct codes; and
     + structure plans and concept plans for the development of future urban areas.
  3. The Territory Plan graphically represents the applicable land use zones under the following categories:
     + Residential;
     + Commercial;
     + Industrial;
     + Community Facility;
     + Parks and Recreation;
     + Transport and Services; and
     + Non-Urban.[[15]](#footnote-15)
  4. Recognising that land use policies may change over time, the Act provides for variations to the Territory Plan, which are prepared by the Planning and Land Authority, currently under the auspices of the Directorate, for stakeholder consultation and comment.[[16]](#footnote-16)
  5. Under the Act the Minister must refer a draft plan variation documents, within 5 working days of the notification of the public availability notice,[[17]](#footnote-17) to an appropriate committee of the ACT Legislative Assembly (the Assembly) for consideration and reporting.[[18]](#footnote-18)
  6. The Minister must not take action in relation to the draft plan variation until the committee of the Assembly has reported on it;[[19]](#footnote-19) has decided not to report on it;[[20]](#footnote-20) has not informed the minister within 20 working days of the referral as to whether it will prepare a report;[[21]](#footnote-21) or the committee of the Assembly has not reported on the draft plan variation by the end of the period of six months starting the day after the day on which it was referred to the committee.[[22]](#footnote-22)
  7. The Minister must take any recommendation of the committee into account before making his decision in relation to the draft plan variation.[[23]](#footnote-23) If the Minister approves it, the proposed plan variation and associated documents will be presented to the Assembly.[[24]](#footnote-24) Unless wholly or partially rejected by the Assembly, on a motion for which notice has been given within five sitting days of the plan variation being presented to the Assembly, the plan variation will commence on the date nominated by the Minister.[[25]](#footnote-25)

## The Draft variation

* 1. The Draft Variation to the Territory Plan 360 Molonglo River Reserve (Molonglo Draft Variation) seeks to make changes to the public land reserve overall boundaries and minor zone adjustment on the Territory Plan Map for the area of the Molonglo River Reserve. It proposes changes that are necessary in order to align the Territory Plan Map with the provisions in the Molonglo River Reserve Management Plan. The changes will also fulfil the requirements for the Reserve management Plan to be finalised and take effect.[[26]](#footnote-26)
  2. The change to the boundaries also reflects the outcomes of the Molonglo Valley Strategic Assessment for the Molonglo River Reserve which was undertaken by the ACT Government in 2010.[[27]](#footnote-27)
  3. The Molonglo Draft Variation has interim effect.[[28]](#footnote-28)
  4. As per Section 72 of the *Planning and Development Act 2007* interim effect enables the provisions of Draft Variation No 360 to apply during the defined period which begins the day the Molonglo Draft Variation given to the Minister is notified (notification day).[[29]](#footnote-29)
  5. The effect of section 72 during the defined period means that the Territory, the Executive, a Minister or a territory authority must not do or approve anything that would be inconsistent with the Territory Plan as if it were amended by the draft variation. Where there is an inconsistency between provisions in the current Territory Plan and provisions in the draft variation, then the draft variation takes precedence for the extent of the inconsistency.[[30]](#footnote-30)
  6. Interim effect will end on the day the earliest of the following happens:

i. the day the corresponding plan variation, or part of it, commences;

ii. the day the corresponding plan variation is rejected by the Legislative Assembly;

iii. the day the corresponding plan variation is withdrawn in accordance with a requirement under section 76 (2)(b)(v) or section 84 (5)(b);

iv. the period of 1 year after notification day ends.[[31]](#footnote-31)

### The Sites

* 1. The area affected is the Molonglo River Reserve which follows the Molonglo River from Scrivener Dam downstream to the intersection with the Murrumbidgee River Corridor Reserve. It includes three current reserves – Kama Nature Reserve, Lower Molonglo River Corridor Nature Reserve and Molonglo River Special Purpose Reserve, and brings them together with some new areas to create the Molonglo River Reserve. The Molonglo River Park in East Molonglo is also included in the Reserve.[[32]](#footnote-32)
  2. The following Territory Plan map zones currently apply to the Molonglo River Reserve:
     + Pc – nature reserve
     + Pd – special purpose reserve
     + Pe – urban open space
     + NUZ2 – Rural Zone
     + NUZ4 – River Corridor Zone
  3. In addition to general codes that may apply the following codes currently apply to the Molonglo River Reserve under the Territory Plan:
     + Non-Urban Zones development code; and
     + Overlays.

### Changes to the Territory Plan

#### Changes to the Territory Plan Map

* 1. Planning ‘zones’ are applied to land and the zoning determines what kind of development is allowed on the land.
  2. As illustrated in Figures 1 and 2 the Molonglo Draft Variation would make changes to the existing Territory Plan Map, including:
     + changes to the public land reserve overall boundaries;
     + change sections of special purpose reserve and urban open space to nature reserve;
     + incorporate part of Block 485 Stromlo into the reserve system under the public land reserve ‘Pc – a nature reserve’ overlay; and
     + rezone nonurban zone NUZ2 Rural zone to NUZ4 River Corridor zone.[[33]](#footnote-33)

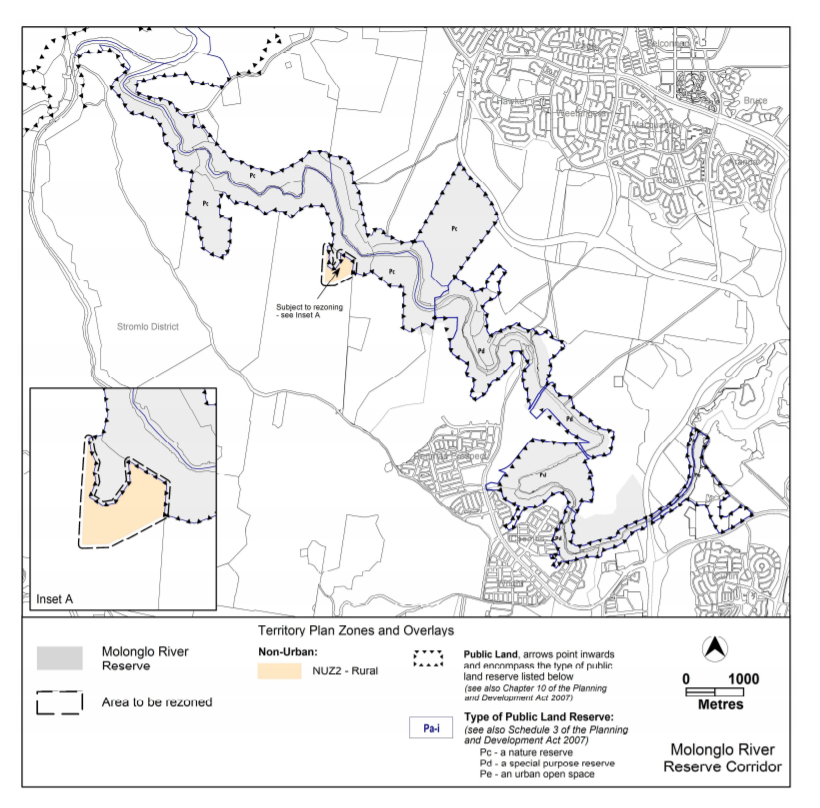


Figure 1 – Current Territory Plan Map

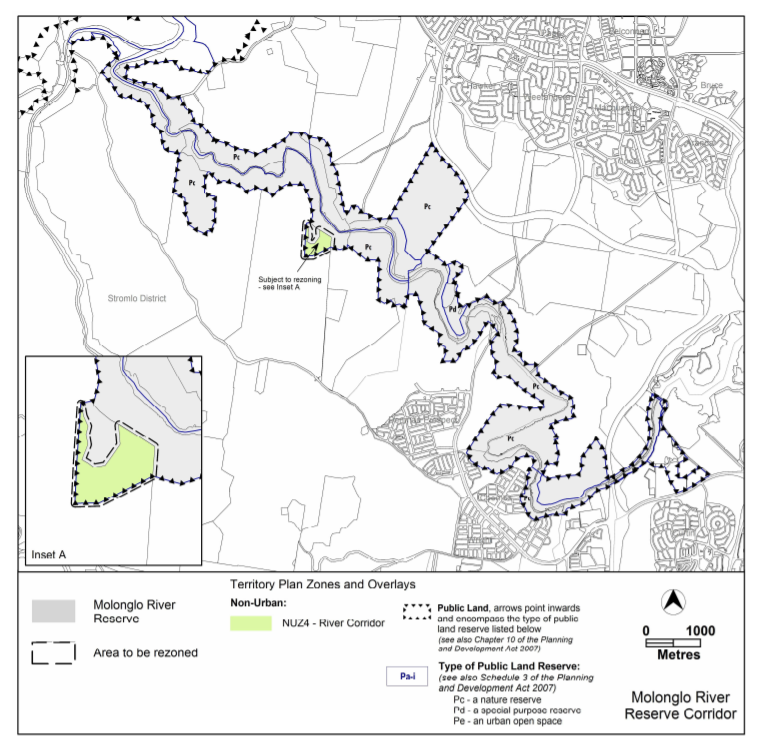


Figure 2 – Proposed Territory Plan Map

### Consultation by Environment, Planning and Sustainable Development Directorate

* 1. The Directorate released the Molonglo Draft Variation for public comment on 23 November 2018. The closing date for comment was 1 February 2019.
  2. The Directorate received two written submissions.
  3. The key issues of public concern included:
     + Concerns about proposed development on the Coombs peninsula and the effect on wildlife, specifically platypus in the Molonglo River, and the location of the proposed development in the bushfire prone are; and
     + Concerns that the public reserve will not be wide enough to maintain environmental and public reserve functions.[[34]](#footnote-34)
  4. In response to public comments no changes were made to the exhibited version of the Molonglo Draft Variation.
  5. The Directorate’s report on the consultation was made available on their website.[[35]](#footnote-35)

### Comments on Consultation

* 1. The Committee notes the concurrent statutory processes taking place involving the draft Molonglo River Reserve Management Plan and the Molonglo Draft Variation.
  2. The Committee notes the public consultation process for the draft Molonglo River Reserve Management Plan began 1 week after the closure of the consultation period for the Molonglo Draft Variation.

### Understanding Of Draft Variation

* 1. Draft Variations to the Territory Plan and reserve management plans are both complex documents. It can be difficult for lay persons to understand exactly what the existing rules are and how they will be changed by a draft variation.
  2. The Committee notes that extensive sourcing and cross matching of relevant documentation is required to ascertain what has been amended in the Territory Plan, how it interacts with any reserve management plans or what is being referenced within the draft variation.

Recommendation

The Committee recommends that, subject to the following recommendations, Draft Variation 360 Molonglo River Reserve: Changes to public land reserve overlay boundaries be approved.

## Molonglo Valley Plan for the Protection of Matters of National Environmental Significance

* 1. Due to complexity of the nature and scale of any proposed development in the Molonglo Valley and the need for high level environmental protection in the area, an agreement between the ACT Government and the Commonwealth Government was entered into on 16 September 2008 to conduct a strategic assessment under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).[[36]](#footnote-36)
  2. An amended agreement between the two governments on 16 March 2010 provided for an assessment of impacts under *The Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* (the NES Plan), regarding urban development, associated infrastructure and broadacre land use throughout all of East Molonglo with the exception of the suburbs of North Weston, Wright and a portion of Coombs.[[37]](#footnote-37)
  3. The NES Plan:
     + reflects the development activities proposed for the Molonglo Valley as set out in the Molonglo and North Weston Structure Plan (the Structure Plan); and
     + establishes the ACT Government’s commitments to protect matters of national environmental significance (MNES) within the strategic assessment area.[[38]](#footnote-38)
  4. The Structure Plan, which is to be implemented over 30 years, is part of the ACT statutory Territory Plan and guides urban development and associated infrastructure in the Molonglo Valley through the establishment and implementation of the following principles:
     + walkable neighbourhoods and centres;
     + a clear and easily understood urban structure;
     + special places at key locations including centres;
     + strong connections to the surroundings;
     + a response to the strong topographic character of the Valley;
     + protection of hills, ridges and views;
     + retention of significant trees and tree stands;
     + protection of significant natural corridors and habitats;
     + strong recreational links along the Valley to Mt. Stromlo, Black Mountain, the National Arboretum and Lake Burley Griffin; and
     + continuation of the country/city feel of Canberra.[[39]](#footnote-39)
  5. The identified MNES that require commitments through the NES Plan are the following:
     + White Box - Yellow Box - Blakely’s Red Gum Grassy Woodland and Derived Native Grassland (Box-Gum Woodland);
     + Natural Temperate Grassland of the Southern Tablelands of NSW and the ACT (Natural Temperate Grassland);
     + Aprasia parapulchella (Pink-tailed Worm Lizard);
     + Polytelis swainsonii (Superb Parrot); and
     + Lathamus discolour (Swift Parrot).[[40]](#footnote-40)

## Molonglo River Reserve Management Plan

* 1. Under the *Nature Conservation Act 2014* (section 177) the custodian of a reserve must prepare a reserve management plan for the reserve. The ACT Parks and Conservation Service is the land custodian of public land reserves. In the *Nature Conservation Act 2014*, a reserve means a wilderness area, a national park, a nature reserve, a catchment area and any other area of public land reserved under the Territory Plan or prescribed by regulation to be a reserve (may include a Special Purpose Reserve).[[41]](#footnote-41)
  2. A reserve management plan identifies what is important about an area (its values), what is hoped to be achieved in the management of the area (objectives) and the means by which the objectives will be achieved (policies and actions). A reserve management plan provides direction and guidance to the land custodian, visitors, neighbours, volunteers, and others with an interest in the area. Preparation of a reserve management plan includes extensive consultation with key stakeholders and a statutory requirement to consult members of the public.[[42]](#footnote-42)
  3. The *Molonglo River Reserve Management Plan* (The Plan) provides for the Molonglo River Reserve to be predominantly nature reserve, with two areas of special purpose reserve where recreational activities will be located. This is to ensure that areas of high conservation value are protected into the future in accordance with the NES Plan.[[43]](#footnote-43)
  4. The Plan will guide management of the proposed reserve for the next 10 years[[44]](#footnote-44).
  5. In order to finalise the Plan, the public land reserve overlay provisions need to be amended to comply with the legislative requirement that the Plan describes how the planning and development objectives for the reserve are to be implemented or promoted in the reserve.
  6. The management objectives as provided by the Planning and Development Act 2007 for an area of nature reserve, ‘Pc – a nature reserve’, is to conserve the natural environment, and to provide for public use of the area for recreation, education and research. The objectives for special purpose reserve, ‘Pd – a special purpose reserve’, are to provide for public and community use of the area for recreation and education.[[45]](#footnote-45)
  7. The Plan was released for public consultation from 8 February 2018 until 23 March 2018. All submissions were considered and the Plan was revised in response to the comments received.[[46]](#footnote-46)
  8. The Plan was then referred to the Standing Committee for Environment and Transport and City Services in accordance with the statutory process outlined in the *Nature Conservation Act 2014*. On 23 May 2019 the Standing Committee for Environment and Transport and City Services recommended that the Minister approve the final draft plan.[[47]](#footnote-47)
  9. The final draft of the *Molonglo River Reserve – Reserve Management Plan* is now complete. The next step is for the plan to be tabled as a disallowable instrument in the Legislative Assembly.[[48]](#footnote-48)

## Key Issues

### Incorporation of Coombs Peninsula into the Molonglo River Reserve

#### Reserve Boundary and Protection of Matters of National Environmental Significance

* 1. Concerns were raised with the Committee about the impact of the proposed Molonglo River Reserve boundary, particularly that adjacent to the Coombs Peninsula, on the matters of national environmental significance (MNES) as articulated in *The Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* (NES Plan). Of these MNES, the Pink-Tailed Worm-Lizard (PTWL), which is currently listed as Vulnerable in the *Nature Conservation Threatened Native Species List 2019,* was of particular concern.
  2. It was noted that the area of habitat for the PTWL has been mapped as part of the strategic assessment for the NES Plan and as part of the Draft ACT Natural Resources Management Investment Plan. It is also represented in the final draft of the *Molonglo River Reserve – Reserve Management Plan.*
  3. The Conservation Council noted in their submission to the Committee that they had been advocating to protect the PTWL habitat for a number of years. In particular the Conservation Council made reference to the outcome from an ACAT process they had undertaken to protect the PTWL and its habitat:

In 2011, the Conservation Council opposed development on the Coombs tip outlined in PV 281 Notice 2008 N1 2008-352, on the grounds that it impacted on the habitat of the endangered species Aprasia parapulchella, the Pink-tailed Worm-lizard, and presents a significant bushfire hazard to residents.

In 2012, the objection was taken to the Administrative Appeals tribunal on the grounds that the development impacted on threatened species and there was inadequate bushfire protection outside the reserve.

A mediation process led to an agreement with the Government that the tip of Coombs would be removed from the development application (27 house blocks at the time) ensuring that the high quality Aprasia parapulchella (Pink-tailed Worm-lizard (PTWL)) habitat was outside fire management zones. The outcome of the mediation was to remain in place until the Plan of Management for the Molonglo River Reserve was put in place.[[49]](#footnote-49)

* 1. In this context the Conservation Council was asked by the Committee how they felt about the current Molonglo Draft Variation and in response indicated that ‘we seem to have been totally defeated by the present planning proposal which has paid no attention to the mediation process whatsoever.’[[50]](#footnote-50)
  2. However the Conservation Council maintained that although ‘the process of actually going to the Administrative Appeals Tribunal was lengthy, tortuous and potentially costly because we had a barrister and a solicitor on that occasion’ they would do it again if required.[[51]](#footnote-51)
  3. In the context of the current Molonglo Draft Variation the Conservation Council noted that the boundary of the reserve was ‘about a metre away from the edge of the pink-tailed worm-lizard habitat’[[52]](#footnote-52) which they indicated was ‘high quality habitat:’

This is not average habitat and it needs to be protected. There is no way that it can be protected if the asset protection zones essentially impinge on the pink-tailed worm-lizard habitat.[[53]](#footnote-53)

* 1. The Conservation Council expressed concerns that the asset protection zones would be ‘on top of high quality pink-tailed worm-lizard habitat’[[54]](#footnote-54) particularly as the draft management plan and other related planning documents did not ensure that the asset protection zones would be outside the reserve boundary or that the reserve boundary would be ‘well away from the pink-tailed worm-lizard habitat.’[[55]](#footnote-55)
  2. Consequently they advocated the position that including the Coombs Peninsula in the Molonglo River Reserve boundary would mitigate ‘against the requirement to manage an Outer-Asset Protection Zone within the Molonglo River Reserve (and directly within Pink-tailed Worm-lizard habitat) adjacent to the Coombs Peninsular.’[[56]](#footnote-56)
  3. During later discussions with the Directorate about the PTWL the Committee were informed that the Coombs Peninsula was not a ‘hotspot’ ecologically and not considered ‘to be habitat of the pink-tailed worm-lizard of medium or high quality.’[[57]](#footnote-57)
  4. The Directorate went on to state that:

… there was some habitat identified, or potential habitat. It was not, from my understanding, medium or high quality, as Daniel says. Some of it has already been disturbed. I cannot remember if it was by the sewer or the water track that is there; the works that went in in 2012. I think there has already been disturbance to that section. The other habitat that is on the peninsula becomes part of the impact budget under the NES plan.[[58]](#footnote-58)

* 1. The Directorate further indicated that:

Under the strategic assessment under the EPBC Act for the Molonglo Valley, the NES plan, there was an impact budget allocated for pink-tailed worm-lizard habitat. That was a certain number of hectares that could be impacted as part of the development. If a major habitat on the peninsula were impacted, it would have been picked up within that budget.[[59]](#footnote-59)

#### Reserve Boundary and Other Ecological Considerations

* 1. Although the species of trees was not identified, concerns were raised by Mr John Hutchison in relation to the retention of bushland trees in the area that he believed to be remnant trees:

The only bushland trees left in Coombs are the ones on the Coombs peninsula. They are probably 50 years old, these trees. They are not the 400-year-old box trees that we have in other places. But they are established, they have substance and they are real, genuine bush…So that is a pocket of bush which is extraordinarily valuable.[[60]](#footnote-60)

* 1. Mr Hutchison further indicated that that the:

…gum trees along Fred Daly Avenue (and also some along Colbung St) are the only remnant trees in Coombs. The ones on the peninsula are the only remnant trees still in a natural state. The others have been protected by including in urban parks. So these tress on the peninsula are very important.[[61]](#footnote-61)

* 1. Despite images of the trees being provided by Mr Hutchison during his appearance before the Committee the Directorate did not believe the trees he referred to in his evidence were actually remnant trees. However, the Directorate agreed that the retention of existing trees was still a possibility:

Could I speak to those trees? My understanding is that those trees are known as the ‘jogalong’ trees and they were planted—I might be incorrect in this, but they are not remnant trees and they are certainly not of a significant age. They have been retained and there is potential that the suburban development design could look at retaining those. I am not sure what the layout and plan would be.[[62]](#footnote-62)

In the EDP assessment they will look at things like the provision of open space and other facilities for the neighbourhood. Often if there are things like trees that are worth retaining they incorporate that into the open space. So that will be part of the considerations.[[63]](#footnote-63)

* 1. In her submission to the public consultation process Ms Karen Collins expressed concerns about the potential problems with runoff and rubbish going into the Molonglo River and the effect that would have on water quality.[[64]](#footnote-64)
  2. Mr Hutchison echoed these concerns in his evidence to the Committee and indicated that the ability to intercept such runoff and rubbish in settling ponds and wetlands was very limited due to the ‘proximity of the Coombs Peninsula to the Molonglo River’ and the risk of reduced water quality would be increased as the ‘development on Coombs Peninsula would be closer to the river than any development so far.’[[65]](#footnote-65)
  3. Ms Collins also expressed concern about the plight of the platypus and other native animals, noting there was an array of native animals that appeared to have taken up residence in the area:

Our family regularly sights wombats, echidna and of course kangaroos in this area. I have observed the black yellow-tailed cockatoos that roost in the pine trees here. Also, very recently and for the first time, we have seen a rather dark wallaby near the river. From the end of the peninsula, where the river broadens to a wider, deeper pond, we have noted water dragon, lizards and a variety of parrots and water birds. Fisherman that we have encountered, tell us that while there are mostly carp, golden perch and river cod are found in the river.

It is with absolute assurance that I can inform you, that platypus can be observed in the above section of the Molonglo River. I doubt if there are many other areas of larger Australian cities that can lay claim to this most unique, elusive resident in their suburban rivers. On one occasion I have been within a metre of an adult size platypus resting on the peninsula embankment. The most recent sighting was of a much smaller platypus spotted in the company of a larger platypus. This suggests either a breeding pair, or young and parent platypus (more likely); the nesting burrow of which must be somewhat close by, within a few hundred metres. Given this pond area does not rise and fall as quickly or as much as more narrow parts of the river, it is possible there is a main burrow in the immediate pond vicinity itself. The river either side of the pond, up to around 2km, possibly more, will encompass these platypuses home territory. For this reason, the northern and eastern Reserve verges of the Coombs Peninsula should be broadened, especially at the eastern point where the Reserve corridor is most narrow.[[66]](#footnote-66)

* 1. Both Ms Collins and Mr Hutchison noted the impact any development could have on the resident native animal population:

Another issue with animal protection is the “choke point” effect that will be created if the peninsula is developed for housing. Only a very narrow corridor will remain in the reserve for animals to move along the river valley. This will inevitably lead to a greater conflict between animals and dogs, and force even more kangaroos onto the roads.[[67]](#footnote-67)

#### Reserve Boundary and Fire Mitigation

* 1. Concerns were also raised in relation to the bushfire risk in the area with the Conservation Council drawing attention to the Strategic Bushfire Management Plan (SBMP) 2019-2024 and its rating of the area as ‘bushfire prone.’[[68]](#footnote-68)

In the Molonglo River reserve management plan there is quite a nice fire hazard map which shows where they think it is likely to get incinerated. It is quite spectacular. You will find that there is no inner or outer asset protection zone around the west side of the Coombs tip or the north side of the Coombs tip at all. It is not marked. In terms of asset protection it is nowhere on the reserve management plan.[[69]](#footnote-69)

Our view is that these river corridors, which are inevitably fairly well vegetated with inflammable vegetation, are a wick to bring fires out from the west and bring them in east into the city. And in a peninsula like that where you have got really steep slopes, the fire will roar up the slope and incinerate the houses if you build them there. That is our view. We find it unfathomable why the planning people can actually propose putting 60 houses on a place which is an enormously high fire risk. And it is designated a fire risk.[[70]](#footnote-70)

* 1. The Conservation Council also informed the Committee that:

The Coombs tip is not currently mapped as a bushfire abatement zone, though across the river the land is all mapped as this zone. This is a clear defect in the SBMP for the area, as fire is not stopped by a narrow river zone with trees on both sides, and with vegetated steep slopes to the south up to the proposed Reserve boundary.[[71]](#footnote-71)

* 1. Mr Hutchison also indicated his concerns about the fire risk to residents of any development on the peninsula, stating:

The peninsular area is at much greater risk because it is threatened from all sides and very few (if any) residents would have good visibility in all directions. There is also a much greater risk of residents becoming surrounded by fire and unable to escape.[[72]](#footnote-72)

* 1. As indicated earlier in the report, the Conservation Council noted that any efforts to create an inner or outer protection zone would impact on the PTWL habitat. In addition they noted that ‘the inclusion of fire fighting zones within the high quality PTWL habitat fail to meet the Molonglo NES Plan agreement with the Commonwealth,’ particularly those actions and requirements to ‘protect and maintain habitat for the PTWL’:[[73]](#footnote-73)

The expected outcome of the urban development would be that the Outer Asset Zone (in which fuel management is identified as a priority) and Strategic Fire Advantage Zone (in which management in those areas should be compatible with ecological requirements) would be placed within the Reserve, directly on the steep slopes containing high quality PTWL habitat (NES Plan, Figure 4), clearly impacting the species habitat and other Reserve values. [[74]](#footnote-74)

* 1. Whilst also advocating no housing development on the Coombs Peninsula the Conservation Council emphasised that ‘Inner and Outer Asset Protection Zones and a Strategic Fire Advantage Zone outside the boundary of the Reserve are required on the Coombs tip to provide fire protection for residents while protecting the Reserve’s conservation values from substantial impacts from fire mitigation management.’[[75]](#footnote-75)
  2. In response to these concerns the Directorate indicated that as part of the structure plan for the area there had been an ‘initial assessment of whether there is some viability for development,’[[76]](#footnote-76) however ‘the detailed assessments are done with each of the estate development plans.’[[77]](#footnote-77) They further indicated that:

That particular peninsula area will require a future estate development plan application. Part of the consideration for that is a bushfire risk assessment. It will take into consideration any measures that would need to be put in place to address the issue of bushfires. The EDP is referred to ESA, Emergency Services, for comment and we implement any recommendations that they make. That will address those issues. It is generally done site by site, so it is different, obviously, for each site.[[78]](#footnote-78)

* 1. The Directorate noted that ‘currently, there is no actual approval for any development on that site, because of the appeal that went through. That part got taken out.’[[79]](#footnote-79)
  2. In further discussion with the Committee the Directorate explained that improving the habitat quality for the PWTL and maintaining bushfire protection was compatible:

Our commitment to the commonwealth is that we will ensure that we protect the pink-tailed worm-lizard, but we also deliver necessary bushfire fuel protection. What we have been able to show over the past two to three years, quite successfully, is that in enhancing the habitat for the lizard, we deal with the bushfire fuel.

This particular critter loves to live under rocks. It picks habitat which is very poor in its production. If we introduce rocks, and we have introduced hundreds of tonnes of rocks into the landscape, we actually impact on that particular area’s capacity to produce fuel, because we are covering it with rocks. So we find that in delivering a good result for the lizard, we deliver a good result for bushfire protection. As far as what the ESA calls outer asset protection zones is concerned, we are able to demonstrate that we can meet those requirements by enhancing the habitat of the lizard.[[80]](#footnote-80)

* 1. The Directorate further indicated that in terms of their obligations for MNES in the area:

With the pink-tailed worm-lizard there are requirements to enhance habitat. That is picked up by the activities that we are doing. We have invested a lot of money, on both side of the banks, to enhance habitat. That will soon be completed. We also have a requirement to enhance habitat of yellow box Blakely’s red gum woodland, small pockets of it. But in relation to this particular area, they would be the two main ones that relate to the peninsula.[[81]](#footnote-81)

#### Reserve Boundary and Land Use

* 1. In their submission to the Committee the Conservation Council indicated that they were ‘committed to retaining the tip of Coombs Peninsula as open space,’ and including it ‘inside the reserve.’ They explained how this would be of benefit:

While delivering a benefit to residents in terms of amenity, if designated as urban open space, it will also provide enhanced bushfire safety and avoid impacting the ecological integrity of the Reserve from urban impacts as well as fire mitigation management.[[82]](#footnote-82)

* 1. Mr Hutchison also told the Committee that:

I suggest to you that there is a terrific opportunity, by adding the whole of the Coombs peninsula to the Molonglo reserve, to make a vast improvement to the reserve, make a vast improvement to the river and provide great opportunities for the residents of Coombs in particular and around the Molonglo River in general. I would hope that if this is incorporated into the reserve it would gradually be transformed into a great bush resource where local residents can walk and ride and experience a vast diversity of nature. Once it is gone, it is lost forever, and in the long run we will look back and say, “Why wasn’t this place protected?”[[83]](#footnote-83)

* 1. When asked as to the best land use for the tip Mr Hutchison also stated that:

I clearly would much prefer it to be left as an urban park than be developed as housing. I think putting it into the reserve is the best option, because it takes it out of the hands of people who have got other designs on it and provides the opportunity to retain it as bush. That would be my answer. And it puts it into the hands of the park service, who have that interest in mind. They can then develop it in the context of the whole Molonglo River reserve, rather than thinking about it in the context of all the other parks in Coombs, which would be the viewpoint if it were part of Coombs.[[84]](#footnote-84)

* 1. The Conservation Council agreed with this perspective, telling the Committee that it would be preferable to:

Move the boundary of the reserve so that it becomes a responsibility of the parks service, and let them rehabilitate it, as they have already been doing on the other side of the river.[[85]](#footnote-85)

* 1. The Conservation Council also argued that the peninsula ‘needs to be open parkland for recreational purposes’[[86]](#footnote-86) whilst Friends of Grasslands in their submission to the inquiry also indicated that ‘the area provides an opportunity to provide a high quality low impact recreation hub.’[[87]](#footnote-87)
  2. Ms Collins in her submission during the public consultation period also advocated that:

Molonglo River Reserve is therefore an ideal opportunity for a natural environment, to provide for public recreation use and wildlife observation (official & volunteer), that can potentially contribute to platypus and other species research.[[88]](#footnote-88)

* 1. In response to potential use of this land the Minister indicated that:

…what we would like to do for the particular area of the river corridor that we want to remain as habitat and grow is to try to do as much as we can to reinforce that but then use the opportunity for residential where that is opportune as well. People would like to live there, I imagine.[[89]](#footnote-89)

* 1. In the absence of deferring the finalisation of the reserve boundary, adjacent to the Coombs Peninsula, the Conservation Council suggested that the ‘reserve boundaries be extended south into Coombs tip in order to ensure all fire mitigation actions occur outside the high quality PTWL habitat.’

Our view is that the reserve boundaries should be extended south from their present position—ideally, relatively close to the existing housing—and that the asset protection zones be outside the Canberra Nature Park boundary. This is a fairly complex issue and we are very happy to be involved in subsequent negotiations and planning discussions about exactly what should happen there. We object most strongly to urbanisation which is, in our view, dangerous for residents because the slope there is so steep and it is likely to generate fire vortices. The fires come in from the west. It has been burnt out twice already. We feel that there should be at least 150 metres of protection, as an asset protection zone, in that sort of area, and that it has to be outside the park boundary.[[90]](#footnote-90)

* 1. Ms Collins in her submission during the public consultation phase also supported an extension to the proposed reserve boundary stating that:

An extension to the Reserve area at Coombs Peninsula (therefore partially restricting proposed residential development) is cognisant with the ACT Government’s environmental commitments. It would ensure this area of high conservation value is protected into the future and the River corridor is wide enough to sustain existing native wildlife.[[91]](#footnote-91)

* 1. When asked by the Committee what the rationale was for the boundary overlay, the Directorate indicated that:

This particular reserve is remarkable in that the banks that surround the actual river retain good habitat for the pink-tailed worm-lizard, which is nationally endangered, and it is recognised by the commonwealth as such. In our agreement to develop Molonglo, an offset was that we would protect the medium and high quality habitat types for this particular animal. That has largely determined one of the key rationales for the boundary. We have looked at the river corridor, and we have surveyed where those hotspots, if you like, are, and ensured that they are incorporated within the boundary. There are also some small pockets of remnant yellow box Blakely’s red gum, and there is some land that, if rehabilitated, could over time contribute really well to the environmental values, as well as to the recreational values of the burgeoning population. That, in effect, has guided us in understanding where we would put the boundary for the nature reserve. I think it is fair to say that once people start moving into this region, they will find that this river corridor has some of the best views and some of the best remaining habitats of yellow box Blakely’s red gum and natural temperate grassland left in the ACT.[[92]](#footnote-92)

* 1. When asked further what the impact would be on the conservation values of the Molonglo River Reserve if the Coombs Peninsula was incorporated into the reserve boundary the Committee was informed that:

What we have learned with this particular nature reserve is that it has had a lot of impacts over a lot of years. To rehabilitate areas like this can be very expensive. What we have to do, as responsible land managers, is balance our effort. What we have done through this process is identify those bits within this landscape where, if we invest, we will get the best bang for our buck. That means that it will connect up with other good bits; it might provide some access by residents to some really good habitat; or it might provide an opportunity for swimming or something like that. In making those decisions, we have to make those sorts of value judgements. Otherwise all of Canberra would be our nature reserve. It is always a value judgement that we have to make. In this particular case, I think we can show that as far as the Molonglo River park is concerned, we have picked the bits where we have the best chance to get the biggest bang for our buck.[[93]](#footnote-93)

##### Committee Comment

* 1. The Committee notes that a number of submitters to the inquiry proposed the inclusion of the Coombs Peninsula as part of the Molonglo River Reserve. In particular the Conservation Council has such a strong belief that the land is of such ecological importance that it is worth hiring a barrister to defend – a very significant commitment for a community group.
  2. Additionally, evidence and letters received from the community by the Committee both internal to and external to the inquiry process have echoed the Conservation Council’s views on environmental values and in addition emphasise recreation values for the area.
  3. In contrast the Committee notes that the Directorate does not believe the Coombes Peninsula is critical to the future of the Molonglo River Reserve and argues residential development should be allowed, subject to further environmental studies during the Estate Development Plan process.
  4. The Committee believes that more technical work is needed on the environmental, bushfire and recreation issues associated with Coombs Peninsula and the parts of the Molonglo River Reserve adjacent to the Peninsula. It also believes that community consultation is needed to develop sustainable and viable options for the future of the Peninsula.
  5. The Government argues that this work can be done through an Estate Development Plan Development Application. However, the area is zoned for residential development with a Future Urban Area Overlay and the Peninsula is on the land release program. This presumes a development outcome rather than an environmental and recreational outcome.
  6. The Committee believes that the Molonglo Draft Variation (DV360) is the last chance for the land to be rezoned in its entirety. However this also places the Committee in the difficult position of having to make a recommendation on the zoning of the Peninsula in the absence of the necessary technical and community engagement work.

Recommendation 2

The Committee recommends that the Coombs Peninsula be considered for environmental and recreational purposes.

Recommendation 3

The Committee recommends that the Coombs Peninsula is withdrawn from the land release program while this consideration is completed.

Recommendation 4

The Committee recommends that Variation 360 rezones the bulk of the Coombs Peninsula to NUZ3 Hills, Ridges and Buffer Zone and the Future Urban Area Overlay is removed from the rezoned area.

## Conclusion

* 1. The Committee has made four recommendations
  2. The Committee would like to reiterate its thanks to the Minister, officials, witnesses and submitters who contributed their time and effort to this inquiry.

Ms Caroline Le Couteur MLA

Chair

28 August 2019

## Appendix A – Witnesses

### Wednesday 12 June 2019

* Mr John Hutchison
* Professor Ian Falconer, Conservation Council – ACT Region
* Mr Mick Gentleman, Minister for Planning and Land Management
* Dr Erin Brady, Deputy Director-General, Land Strategy and Environment, EPSDD
* Ms Alix Kaucz, Manager, Planning and Urban Design Policy, EPSDD
* Mr Daniel Iglesias, Director, ACT Parks and Conservation Service, EPSDD
* Ms Sophie Clement, Director PCS Projects, Parks and Conservation Services, EPSDD

## Appendix B – Submissions

|  |  |  |
| --- | --- | --- |
| Submission Number | Submitter | Received |
| 01 | John Hutchison | 22 April 2019 |
| 02 | Friends of Grasslands | 12 May 2019 |
| 03 | Conservation Council – ACT Region | 24 May 2019 |

1. Legislative for the ACT, *Debates*, 13 December 2016, *Proof Transcript of Evidence,* 10 March 2017, p.,40. [↑](#footnote-ref-1)
2. Legislative for the ACT, *Debates*, 13 December 2016, *Proof Transcript of Evidence,* 10 March 2017, p.,41. [↑](#footnote-ref-2)
3. Accessible at <https://www.legislation.gov.au/Details/C2016C00482>. [↑](#footnote-ref-3)
4. *Australian Capital Territory (Planning and Land Management) Act 1988*, sections 5 and 6. [↑](#footnote-ref-4)
5. Australian Capital Territory (Planning and Land Management) Act 1988, section 9. [↑](#footnote-ref-5)
6. Australian Capital Territory (Planning and Land Management) Act 1988, section 25. [↑](#footnote-ref-6)
7. Accessible at <http://www.legislation.act.gov.au/a/1990-59/default.asp>. [↑](#footnote-ref-7)
8. Accessible at <http://www.legislation.act.gov.au/a/1991-100/default.asp>. [↑](#footnote-ref-8)
9. Accessible at <http://www.legislation.act.gov.au/a/2007-24/current/pdf/2007-24.pdf>. [↑](#footnote-ref-9)
10. Planning and Development Act 2007, section 10. [↑](#footnote-ref-10)
11. Planning and Development Act 2007, section 46. [↑](#footnote-ref-11)
12. Planning and Development Act 2007, section 48. [↑](#footnote-ref-12)
13. Planning and Development Act 2007, section 50. [↑](#footnote-ref-13)
14. Planning and Development Act 2007, section 49. [↑](#footnote-ref-14)
15. Territory Plan, Accessible at <https://www.legislation.act.gov.au/ni/2008-27/Current>. [↑](#footnote-ref-15)
16. Planning and Development Act 2007, Part 5.3. [↑](#footnote-ref-16)
17. Under section 70 of the Planning and Development Act 2007, the planning and land authority must prepare a public availability notice advising that draft variation documents, which have been provided to the minister, are available for public inspection. This notice, which is a notifiable instrument, may be accessed via the ACT Legislation Register website at http://www.legislation.act.gov.au/. [↑](#footnote-ref-17)
18. Planning and Development Act 2007, section 73; The Standing Committee on Planning and Urban Renewal is currently the appropriate committee. [↑](#footnote-ref-18)
19. Planning and Development Act 2007, section 74. [↑](#footnote-ref-19)
20. Planning and Development Act 2007, section 73A. [↑](#footnote-ref-20)
21. Planning and Development Act 2007, section 73. [↑](#footnote-ref-21)
22. Planning and Development Act 2007, section 75. [↑](#footnote-ref-22)
23. Planning and Development Act 2007, subsection 76(3). [↑](#footnote-ref-23)
24. Planning and Development Act 2007, section 79. [↑](#footnote-ref-24)
25. Planning and Development Act 2007, section 83. [↑](#footnote-ref-25)
26. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-26)
27. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 1. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-27)
28. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-28)
29. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-29)
30. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> Planning and Development Act 2007, section 72 (2). [↑](#footnote-ref-30)
31. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf>; Planning and Development Act 2007, section 72 (3)(b). [↑](#footnote-ref-31)
32. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 1. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-32)
33. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-33)
34. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 5. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-34)
35. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 5. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-35)
36. Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan), September 2011, <https://www.planning.act.gov.au/__data/assets/pdf_file/0007/896650/NES_Plan.pdf>, accessed 25 July 2019, p. 1. [↑](#footnote-ref-36)
37. Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan), September 2011, <https://www.planning.act.gov.au/__data/assets/pdf_file/0007/896650/NES_Plan.pdf>, accessed 25 July 2019, p. 1-2. [↑](#footnote-ref-37)
38. Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan), September 2011, <https://www.planning.act.gov.au/__data/assets/pdf_file/0007/896650/NES_Plan.pdf>, accessed 25 July 2019, p. 1. [↑](#footnote-ref-38)
39. Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan), September 2011, <https://www.planning.act.gov.au/__data/assets/pdf_file/0007/896650/NES_Plan.pdf>, accessed 25 July 2019, p. 1-2. [↑](#footnote-ref-39)
40. Molonglo Valley Plan for the Protection of Matters of National Environmental Significance (NES Plan), September 2011, <https://www.planning.act.gov.au/__data/assets/pdf_file/0007/896650/NES_Plan.pdf>, accessed 25 July 2019, p. 3-4. [↑](#footnote-ref-40)
41. Reserve Management Plans, <https://www.environment.act.gov.au/cpr/reserve-management-plans> [↑](#footnote-ref-41)
42. Reserve Management Plans, <https://www.environment.act.gov.au/cpr/reserve-management-plans> [↑](#footnote-ref-42)
43. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-43)
44. Reserve Management Plans, <https://www.environment.act.gov.au/cpr/reserve-management-plans> [↑](#footnote-ref-44)
45. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 2. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-45)
46. Draft variation 360 Molonglo River Reserve – recommended version, February 2019, p. 1. <https://www.planning.act.gov.au/__data/assets/pdf_file/0010/1336087/AA-DV360-Molonglo-River-Reserve-Recommended-version-to-Miinister-FEB-2019-PDF-version-for-website.pdf> [↑](#footnote-ref-46)
47. Molonglo River Reserve – Draft Reserve Management Plan, <https://www.yoursay.act.gov.au/act-parks/molonglo-river-reserve>, accessed 31 July 2019. [↑](#footnote-ref-47)
48. Molonglo River Reserve – Draft Reserve Management Plan, <https://www.yoursay.act.gov.au/act-parks/molonglo-river-reserve>, accessed 31 July 2019. [↑](#footnote-ref-48)
49. Conservation Council, Submission 03. [↑](#footnote-ref-49)
50. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 10. [↑](#footnote-ref-50)
51. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 10. [↑](#footnote-ref-51)
52. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 8. [↑](#footnote-ref-52)
53. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 8. [↑](#footnote-ref-53)
54. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 7. [↑](#footnote-ref-54)
55. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 8. [↑](#footnote-ref-55)
56. Friends of Grasslands, Submission 02. [↑](#footnote-ref-56)
57. Mr Iglesias, *Transcript of Evidence,* 12 June 2019, p. 18. [↑](#footnote-ref-57)
58. Ms Clement, *Transcript of Evidence,* 12 June 2019, p. 18. [↑](#footnote-ref-58)
59. Ms Clement, *Transcript of Evidence,* 12 June 2019, p. 18. [↑](#footnote-ref-59)
60. John Hutchison, *Transcript of Evidence,* 12 June 2019, p. 2. [↑](#footnote-ref-60)
61. John Hutchison, Exhibit 1, Presentation from John Hutchison, p 2. [↑](#footnote-ref-61)
62. Ms Clement, *Transcript of Evidence,* 12 June 2019, p. 20. [↑](#footnote-ref-62)
63. Ms Kaucz, *Transcript of Evidence,* 12 June 2019, p. 20. [↑](#footnote-ref-63)
64. Karen Collins, Public Consultation Submission. [↑](#footnote-ref-64)
65. John Hutchison, Exhibit 1, Presentation from John Hutchison, p 2. [↑](#footnote-ref-65)
66. Karen Collins, Public Consultation Submission. [↑](#footnote-ref-66)
67. John Hutchison, Exhibit 1, Presentation from John Hutchison, p. 2. [↑](#footnote-ref-67)
68. Conservation Council, Submission 03. [↑](#footnote-ref-68)
69. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 11. [↑](#footnote-ref-69)
70. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 11. [↑](#footnote-ref-70)
71. Conservation Council, Submission 03. [↑](#footnote-ref-71)
72. John Hutchison, Exhibit 1, Presentation from John Hutchison, p 2 [↑](#footnote-ref-72)
73. Conservation Council, Submission 03. [↑](#footnote-ref-73)
74. Conservation Council, Submission 03. [↑](#footnote-ref-74)
75. Conservation Council, Submission 03. [↑](#footnote-ref-75)
76. Dr Brady, *Transcript of Evidence,* 12 June 2019, p.14. [↑](#footnote-ref-76)
77. Ms Kaucz, *Transcript of Evidence,* 12 June 2019, p. 14. [↑](#footnote-ref-77)
78. Ms Kaucz, *Transcript of Evidence,* 12 June 2019, p. 14. [↑](#footnote-ref-78)
79. Ms Kaucz, *Transcript of Evidence,* 12 June 2019, p. 14. [↑](#footnote-ref-79)
80. Mr Iglesias, *Transcript of Evidence,* 12 June 2019, p. 15. [↑](#footnote-ref-80)
81. Mr Iglesias, *Transcript of Evidence,* 12 June 2019, p. 16. [↑](#footnote-ref-81)
82. Conservation Council, Submission 03. [↑](#footnote-ref-82)
83. John Hutchison, *Transcript of Evidence,* 12 June 2019, p. 1. [↑](#footnote-ref-83)
84. John Hutchison, *Transcript of Evidence,* 12 June 2019, p. 1. [↑](#footnote-ref-84)
85. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 9. [↑](#footnote-ref-85)
86. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 10. [↑](#footnote-ref-86)
87. Friends of Grasslands, Submission 02. [↑](#footnote-ref-87)
88. Karen Collins, Public Consultation Submission. [↑](#footnote-ref-88)
89. Minister Gentleman, *Transcript of Evidence,* 12 June 2019, p. 19. [↑](#footnote-ref-89)
90. Professor Falconer, *Transcript of Evidence,* 12 June 2019, p. 8. [↑](#footnote-ref-90)
91. Karen Collins, Public Consultation Submission. [↑](#footnote-ref-91)
92. Mr Iglesias, *Transcript of Evidence,* 12 June 2019, p. 15. [↑](#footnote-ref-92)
93. Mr Iglesias, *Transcript of Evidence,* 12 June 2019, p. 17. [↑](#footnote-ref-93)