



ACT Heritage Council

HERITAGE ADVICE

Environmental Significance Opinion

ACTPLA Reference: ESO202400034
Heritage Reference: Denman Prospect-
S134-B2
Contact Officer: DB
Received by Council: 17 June 2024
Due date: 29 July 2024

TO: Territory Planning Authority
Environment, Planning and Sustainable Development Directorate
EPDImpact@act.gov.au

Block:	Section:	Division / District:	Heritage Place:
2	134	Denman Prospect	Lower Molonglo Geological Site

Status of Place: Registered Heritage Place
Description of Works: Pine Removals
Report Details: “Denman Prospect 2 Estate – Tree Felling Program – Site MVF1 and Lower Molonglo Geological Site: Statement of Heritage Effect” (CHMA, May 2020)
Council Advice provided by: Director (Approvals and Advice)

Pursuant to Section 140 of the *Planning Act 2023* and Section 60 of the *Heritage Act 2004*, the ACT Heritage Council advises that:

The proposal is **unlikely to have a significant adverse environmental impact, subject to conditions** described below.

Background:

On 17 June 2024, the Territory Planning Authority referred an application for an Environmental Significance Opinion (ESO) to the ACT Heritage Council (the Council) for a decision (ESO202400034).

The ESO relates to the proposed removal of pine trees within Block 2 Section 134 Denman Prospect, in the form of:

- Area B: mass removal of a stand of pine trees using mechanical methods (c. 0.3 ha in area); and
- Areas A and C: individual removals of isolated trees, using manual methods (c.2.1 ha in area).

The project is being undertaken to address several needs to manage and enhance the area, including:

- To reduce and remove fuel loads around the perimeter of the new Denman Prospect North urban estate;

- To remove listed pest species (*Pinus radiata*) from the Molonglo River Reserve; and
- To enhance views from Denman Prospect into the Molonglo River Reserve.

The referral includes:

- The “*Denman Prospect 2 Estate – Tree Felling Program – Site MVF1 and Lower Molonglo Geological Site: Statement of Heritage Effect*” (CHMA, May 2020) (‘the SHE report’), and the June 2023 Council decision on this application; and
- The “*Geology of the Denman North Development: Implications for removal of remnant pines*” (Brad Pillans, 2023) (‘the geological report’). The geological report has not been previously provided to the Council.

The ESO application area has been subject to previous heritage assessments, including CHMA (2020); and no extant Aboriginal places or objects have been identified within the proposed works area by these studies.

The proposed pine removals will occur in the curtilage of the registered heritage place, the Lower Molonglo Geological Site (‘the Geological site’). The geological report considers impacts to the heritage place from pine felling.

The Council has previously considered impacts from pine felling to the Geological site as documented in the SHE report. This report related to Area B only, and recommended measures to minimise heritage impacts, being: works not impacting the ground surface in or within a 20 m buffer of the Geological site; tree clearing to be undertaken by hand, with pines hand felled by chainsaw; trees to be cut at ground level or just above ensuring no ground disturbance would occur; and the works area to be accessed from the west and trees were removed from the area in a westerly direction to avoid the remainder of the curtilage of the place, which is located to the north, south and east.

Subject to these methods being adopted, the Council delegate is satisfied that manual pine removal with no ground disturbance is unlikely to diminish the heritage significance of the Geological site.

The current ESO application proposes manual methods within Areas A and C, however, also proposed mass removal of a stand of pines within Area B using mechanical methods. In relation to Area B, the geological report sets out that:

- The remnant stand of pines does not contain fossil outcrops, with the nearest fossiliferous outcrops, or potentially fossiliferous outcrops, 250 m north and 150 m southeast of the pines;
- The dominant rock type within the stand of pines is volcanic rock which does not contain fossils; and
- The pines are shallow-rooted, as demonstrated by a few typical trees that have been blown over and partially uprooted. Removal of the trees, including roots, would likely result in disturbance of the soil to a depth of no more than 1 m.

Following review of the geological report, the Council delegate is satisfied that machine removal of pines can be undertaken in Area B without significant adverse impacts to the Geological site, subject to conditions.

Decision and Conditions:

In this context, and as a Council delegate I advise that the proposed pine removals are unlikely to have significant adverse heritage impacts subject to the following conditions:

1. All pine removal within Areas A and C must be hand felled with no impacts to the ground surface. Machine felling of pines, with impacts to the ground surface may occur in area B;
2. All vehicles and equipment required for the removal of pines must remain on existing access tracks outside of Area B; and
3. An Unanticipated Discovery Protocol (UDP) is to be implemented during the proposed works. In the event that suspected Aboriginal places or objects, or suspected fossil deposits associated with the Lower Molonglo Geological Site are encountered: works at that location are to cease (in accordance with Section 75 of the *Heritage Act 2004*); and the Council is to be notified within five working days (in accordance with Section 51 of the *Heritage Act 2004*); and management is to be undertaken in accordance with further Council advice.



Meaghan Russell
Director (Approvals and Advice) (as delegate for),
ACT Heritage Council

30 July 2024